

SIXTY CENTS

# CATHOLIC MIND

*March-April, 1961*

SAINT WALTERS  
SPIRITUAL DIRECTOR  
CONCEPTION MO  
63040 CX 8-62

## The Church in a Free Society

- Gustave Weigel
- John C. Bennett
- John Tracy Ellis
- Thomas T. McAvoy
- Edward Duff
- Daniel J. Callahan

ARTICLES • PAPAL AND EPISCOPAL STATEMENTS • ADDRESSES



"I intend to move the Church  
so far forward that my successor  
cannot set it back."—LEO XIII

# LEO XIII AND THE MODERN WORLD

Edited by EDWARD T. GARGAN

"He found the Church medieval; he left it awakening to modernism," observed the *North American Review* in 1903. In this, the first comprehensive study of Leo's life and work in English since his death, the role of the man who has been called the first modern Pope is analyzed in the light of the best contemporary scholarship.

An awareness of the relevance of Leo XIII's thought to our own day, perhaps best exemplified in such encyclicals as *Immortale Dei* and *Rerum Novarum*, keynotes this important symposium—an indispensable work not only for scholars and historians but for all who desire a deeper understanding of the role of the Church in the modern world.

## From the Table of Contents

THE LIFE AND WORK OF LEO XIII  
—Raymond H. Schmandt

LEO XIII AND THE PROBLEM OF  
HUMAN LIBERTY — Most. Rev.  
Egidio Vagnozzi

THE CHURCH AND THE WORLD IN  
THE 19TH CENTURY — Kenneth  
Scott Latourette

LEO XIII AND AMERICA—Thomas  
T. McAvoy, C.S.C.

LEO XIII AND CONTEMPORARY  
THEOLOGY—Gustave Weigel, S.J.

LEO XIII AND THE PHILOSOPHI-  
CAL APPROACH TO MODERNITY—  
James Collins

At your bookstore . . . \$4.50

**SHEED & WARD, 64 University Place, N.Y. 3**

# CATHOLIC MIND

59th Year • An America Press Publication

## EDITOR

Thurston N. Davis, S.J.

## EXECUTIVE EDITOR

Vincent S. Kearney, S.J.

## ASSOCIATE EDITORS

L. C. McHugh, S.J.

C. J. McNaspy, S.J.

With the collaboration of  
the AMERICA staff

## EDITORIAL OFFICE

329 West 108 Street,  
New York 25, N. Y.

## GENERAL MANAGER

William Holub

## BUSINESS OFFICE

920 Broadway  
New York 10, N. Y.

One Year—\$3.00

Two Years—\$5.00

Foreign—\$3.50 Yearly

MAR.-APR., 1961  
VOL. LIX, No. 1154

## ARTICLES AND ADDRESSES

- |  |     |  |
|--|-----|--|
| A Theology of<br>Church and State                  | 100 | G. Weigel, S.J.                        |
| Cultural Pluralism:<br>Religious Dimension         | 111 | Dr. J. C. Bennett                      |
| American Catholics:<br>History of<br>a Minority    | 125 | <i>Thought</i>                         |
| American<br>Catholicism Today                      | 135 | <i>American<br/>Benedictine Review</i> |
| Church and State<br>in the American<br>Environment | 153 | <i>Social Order</i>                    |
| Freedom and<br>Authority in<br>Roman Catholicism   | 172 | <i>Christianity and<br/>Crisis</i>     |
| The Laity Speaks                                   | 179 |  |

---

Two important articles concerning aspects of religion in a free society are unavoidably held over until the next issue of the CATHOLIC MIND. Watch for "The Law and Christian Morals" by NORMAN ST. JOHN STEVAS and "The Church: Viewed in Its Members" by NEIL G. MCCLUSKEY, S.J., in the May-June number.



## NEW

### The Loneliness of Man

by *Thurston N. Davis, S.J.*

AMERICA'S Editor-in-Chief explores the meaning behind contemporary concern for baffled, confused and lonely modern man. 15¢



## AMERICA PRESS

### Living For God in the Sixties

by *Arthur V. Shea, S.J. & Robert T. Reilly*

A symposium on Christian family life in the modern age. 25¢



## PAMPHLETS

### Mothers & Daughters

by *Katharine M. Byrne*

A mother of five children turns an amused but penetrating gaze on the modern suburban world of home and family. 15¢

### English in the Liturgy

by *John A. O'Brien &*

*John LaFarge, S.J.*

A discussion of the role of the vernacular in the Mass by two prominent leaders in the study of this question. 15¢

### Brainwashing and Foreign Policy

by *L. C. McHugh, S.J.*

An analysis of the Soviet political maneuvers seen as part of a planned program for inducing a global neurosis. 15¢

Order a Supply Today!

THE AMERICA PRESS, 920 BROADWAY, NEW YORK 10, N.Y.



## **IN THIS ISSUE**

The 1960 election proved that large numbers of our fellow Americans still doubt the commitment of American Catholics to the principles of a free society. In a statement issued last October (see p. 179), a representative group of 166 lay Catholics remarked: "This fact creates problems which extend far beyond this year's elections and threatens to make permanent, bitter divisions in our national life." The issue is far from dead. The CATHOLIC MIND, therefore, will return from time to time to the Church-State question by publishing articles which seek to define, from a Catholic point of view, the role of religion in a free society. This entire number is devoted to six such articles.

- GUSTAVE WEIGEL, S.J. (p. 100), a prominent Catholic theologian, contributes to the Church-State debate by clarifying the distinction between the "sacral," the order of religion, and the "secular," the order of law.
- DR. JOHN C. BENNETT (p. 111), an equally prominent Protestant theologian, fearful lest Father Weigel's distinctions be interpreted too narrowly, emphasizes the role of Church and Synagogue in guiding the public political conscience.
- THOMAS T. McAVOY, C.S.C. (p. 125), traces the development of the Catholic minority in the United States.
- MSGR. JOHN TRACY ELLIS (p. 135) points to the challenges confronting the American Catholic community today.
- EDWARD DUFF, S.J. (p. 153), presents the historical background to the Church-State problem in the United States.
- DANIEL J. CALLAHAN (p. 172) discusses Church authority, showing why it is so hard to explain the Catholic concept to the non-Catholic.

*According to Catholic theology, man is subject to two directives and two imperatives. One is absolute and that is sacral; the other is relative and it is secular. But the same man at the same time is subject to both orders.*

## A Theology of Church and State\*

GUSTAVE WEIGEL, S.J.  
Professor of Ecclesiology  
Woodstock College

**I**F, AT THE TIME I accepted the invitation to discuss the question of Church and State, I had known the kind of tension which would face the moment in which I was to speak, I would not have accepted it. I do not think that in a period of passion we can discuss a theological problem with the detachment which such a task requires. It is all but useless for me

to say that I shall prescind entirely from the day in which we are. It is indeed my intention to do so, but I know that we are all thinking of the relevance of my remarks to the electoral campaign in which we are engaged. Let me insist, however, that I have no desire of being involved in the political contest taking place in our midst.

My remarks are made from the

\* An address delivered at the Shrine of the Most Blessed Sacrament, Washington, D.C., September 27, 1960. Reprinted with the permission of Harper and Brothers, 49 E. 33 St., N. Y. 16, N. Y. Harper will include this address in a collection of Father Weigel's essays to be published later this year.

theological point of view. This must be well borne in mind. What is more, my theology is Catholic theology and constructed in that framework. There are many postulates in that system which cannot all be ventilated on an occasion like this. It would take too long and much of it would seem irrelevant even though the contrary is true.

Above all it must be remembered that theology is a theoretical discipline. In its own order of thought, abstract principles are accepted because of consistency. The application of these principles to the concrete world necessarily gives them a twist and destroys their purity. In Euclidean geometry a straight line is the shortest distance between two points; but in the world in which we live, this is not necessarily true. As folk wisdom tells us, the longest way round is the shortest way home.

I am afraid that my contribution to the general discussion of the day will be as tantalizing as the doctor's testimony in detective stories. In such tales the doctor is asked for the exact time of the death of the victim. His answer will always be that death could have taken place at any moment within a period of two or three hours. This information is usually not satisfactory to the police because it leaves the practical question open. The police want to know the hour and the minute of the event, but medical science cannot satisfy their curiosity. Theo-

retical certitudes do not easily translate themselves into practical certitudes.

As you see, I have surrounded myself with many precautions. It is not timidity which forces me to do so, but rather a proper prudence. At this moment the question we are discussing can be explosive and destructive. In prudence, therefore, we must treat it delicately.

Nothing is more distressing than to hear the question directed to Catholic theologians about the Catholic position on the relations between Church and State with the request that it be answered in a concrete context with simple affirmations or simple negations. This is impossible. A theological answer is in the abstract order in which different hypotheses must be considered. The expression of the hypotheses may sound to the lay hearer as elegant evasion or lack of candor. It is neither. The theologian can do nothing else and still be a theologian. Two or three can be mathematically related to each other as two-thirds, one minus one, five or six, depending on the operation to be performed.

Now to the problem. First of all the problem is not about the relations between Church and State but rather between the sacral and the secular. For the man who denies that there is a sacral order, or affirms that it is only a phase of the secular, there is no problem. The problem consists precisely in the supposition that there are objectively two disparate orders re-

lated to each other in terms of strict otherness. Only two things can be related to each other. Where there is only one thing, no relation can exist. I have no intention of proving that there is a sacral order. I take it that my audience shares with me the conviction that there is such an order. Nor do I have to prove that there is a secular order because it seems too evident to need proof.

**N**OW the sacral order is the plane, or better, the dimension of man's relationship to divinity, and the secular order is the dimension of man's relationship to the world of finite realities, especially to the fellow men with whom he lives. If by the word Church we mean the sacral order and by the word State we mean the secular order, we can make certain statements which could be accepted by most men.

Let us take the case of Socrates. Obviously he was no Christian, but no one would deny that he was a noble man. He was tried by an Athenian court on the charge that he was corrupting Athenian youth by his doctrines. The court was willing to pardon him if he promised to abstain from teaching. His answer was that he said what he had to say because of an inner voice which was divine. In consequence he could not acquiesce to the request of the court. The result was that he was executed.

All the world since the time of Socrates judges that the Greek sage was good and noble in refus-

ing to obey his government, though all the world also thinks that disobedience to law and judicial decision is a bad thing, as Socrates himself held.

This judgment of men is not paradoxical. They believe that obedience to God is in order even if this entails disobedience to the State. The Christians find this stand clearly expressed in the words of Peter when a Jewish tribune ordered him to stop preaching the gospel. Peter said: "Whether it is right in the sight of God to listen to you rather than to God, you must judge" (Acts 4:19). Our own country respects the rights of conscientious objectors and does not demand of them that they bear arms even in time of war.

We can therefore draw the first principle on the relations between Church and State from the examples we have cited. The sacral order, distinct as it is from the order of the secular, is a superior order. Its claims are absolute and its imperatives unconditional. The secular order cannot legitimately make demands if its demands go counter to those which are sacral. We in America refer to this principle when we speak of the inviolability of conscience. This first principle is commonly accepted by mankind at large, no matter what be the individual's religion. It is also the first principle of Catholic theology. It is an inevitable principle for anyone who declares that God is the Lord.

There is a second principle no less important than the first, though

it is subordinate. The proper evolution of man supposes that he coexists and collaborates with his own kind. Aristotle put this truth in the famous phrase which says that man is a civic animal. Human society is therefore something natural and spontaneous. Complete isolation from other men is not the proper condition for human life. This hardly needs more discussion.

Now human coexistence is another way of saying that man by instinct lives in society. Society is therefore necessary for man. Sometimes no society is needed other than the family or the clan. This is the condition of nomadic peoples in large areas of land. However, sedentary people perforce coexist with human beings of different families. Clan rules are not enough because clan is mingled with clan. Above the clan therefore there must be another pattern for living together. The highest pattern of social coexistence we call society, and the mode of societal structure it adopts is called the state.

THE state is thus a source of law and only by law does it operate. It also has the means to execute these laws and the means to judge between the citizen and the law. State should not be considered as a synonym for civil society. It is rather the specific form whereby a civil society is ultimately bound together in stability in order to insure all citizens the earthly conditions necessary for each man's

pursuit of happiness within the framework of human fellowship.

States are natural things because they have their origins in human nature. They are therefore non-sacral. This does not mean that the state is not under God. It, like all other creatures, is subject to the divine will. However, the state has as its purpose the worldly welfare of the community. It is not religious in its preoccupations. It looks man-wards and not God-wards. It makes its laws for the human situation and must tolerate all the defects inherent in this situation. The laws of God are absolute directions for man but the state makes its laws relative to the human predicament and relative to the common good of all citizens. Divine law and human law are of quite different textures. God's law may forbid this or that action but the state may wisely permit it, lest greater evil fall upon the community. The state wants to keep the community together almost at all costs because this is its only interest and concern. The state is not God and its will is not ultimate or absolute.

Catholic theology holds as its second principle in the matter of the relations between sacral and secular that the civic community, and therefore its state, are necessary God-willed institutions. Concerning this state the Catholic Church teaches that it can take any of the forms which Plato indicated. It considers the state sovereign over its citizens so that the citizen is in conscience bound to

obey the statal laws according to the tenor of these laws. So Catholics understand the Scriptural aphorism: "Render therefore to Caesar the things that are Caesar's, and to God the things that are God's" (Mt. 22:21).

The concerns of the natural order must be referred to the laws of the state as guide and norm. The state is naturally competent to deal with such matters and it is autonomous, free, and authoritative in its decisions. There is no natural institution over the state, even though there is a higher human order, the sacral, which is on an altogether different level. On its own level of natural concern, the state is man's highest social institution. Nor need the state be exclusively national; it can take on international characteristics as well.

ACCORDING to Catholic theology, then, man is subject to two directives and two imperatives. One is absolute and that is the sacral; the other is relative and it is the secular. But the same man at the same time is subject to both orders. From the perspective of a geometry of pure ideas, God's command can never put him into conflict with the state because the state as pure idea is itself willed by God. This state, since it functions according to the dictates of nature which is divinely structured, will be no obstacle to man's obedience to sacral imperatives. In the ideal order there is a pre-established concord be-

tween the two sources of human allegiance. Hence the third Catholic principle on the relations between Church and State is that in this quite un-ideal world Church and State should strive after the closest concretely possible approximation to an ideal concord, which nevertheless never means identity.

Such in brief and hurried outline is the Catholic theology on the relations of Church and State. All Catholic theologians teach it. I shall repeat the three principles. First, the sacral is the last and highest dimension of man whereby he is in contact with divinity. Its imperatives are absolute and ultimate. Secondly, on a lower and more immediate plane, the state is necessary for man and it is God-willed. On its own plane of action and existence, the state is autonomous and authoritative without making it superior to the sacral which is of a distinct and higher order. Thirdly, for the good of man who is simultaneously in the dimension of the sacral and in the dimension of the secular, there should be the highest possible concord between the two orders of command, a concord which, however, will never mean identity.

I submit that this doctrine is reasonable and utterly conformable to the beliefs of most men. The only ones who will find difficulty with it are those who deny the sacral order or make of it a natural component of the secular order itself. Those who identify God and State, state idolaters as we call them, or

those who deny the existence of any order above the natural, will not be sympathetic to this vision. But their lack of sympathy will not be caused by the fact that the theory is Catholic but rather because it is an implicit affirmation of the lordship of a transcendental God beyond the limitations of the natural. But this implicit affirmation lies at the heart of Jewish and Protestant faiths no less than in the Catholic religion.

AMERICAN non-Catholics really have no objection to the three basic principles of the Catholic theology on Church and State. They are, however, concerned with the practical understanding of the third principle which demands the greatest possible concord between the sacral and the secular. Catholics identify the sacral order with the arrangements of the organized society called the Roman Catholic Church. The principle of concord would then seem to mean from the Catholic point of view that the state must adjust all its action to the Catholic point of view. Other religions would then have no rights in the community. This, needless to say, alarms the non-Catholic deeply. He can only see in the political action of the Catholic a threat to his own freedom and existence.

It is well for Catholics to recognize this fear in non-Catholics and understand it. The American Catholic, as a matter of fact, is not conscious of any desire to suppress

all religions other than his own. He finds such an idea shocking and grotesque. He simply is bewildered when the non-Catholic accuses him of such intentions.

Now most non-Catholic Americans do know that their Catholic fellow citizens have no sinister designs against them. They know that the Catholic reveres the Constitution of our country and even becomes starry-eyed when he talks about it. But the non-Catholic is afraid of what he thinks is the inner logic of the Catholic position. As long as the numerical situation does not allow the logical drives to operate, the Catholic is no menace. But, asks the non-Catholic, what will happen when the situation does not prevent logic from producing its own consequences?

I think this is the mentality of questioning non-Catholics who approach the question objectively and without antecedent bias. With these men and women the American Catholics must hold dialogue so that understanding be achieved in order to make our national unity strong.

Dialogue is impossible with those non-Catholics who simply cannot tolerate the notion of a Catholic in any civic post of prominence because of the uncriticized assumption that America is a Protestant country. Catholics simply must resign themselves to the panicky shrillness of such people. Conversation is not possible with them because their minds are closed by fear and passion. No matter what



you say to them if it does not agree with their preconceived opinions about Catholics, it will not be believed. And it is uncomfortable for the Catholic to be called a liar even when it is done only by implication.

**B**UT the dialogue with the open-minded non-Catholic Americans is not only possible but feasible. For the last thirty years within Catholic theology there has been much thinking and writing on the Catholic doctrine of Church and State. Some people like to think that there is a fearful struggle going on among quarreling theologians, some coming up with something new and better and others stubbornly sticking to something old and alien. Actually this is not the situation. Theological investigation is going on and clarification is being reached by an academic debate in Catholic circles. The full investigation has not yet been ended and it will go on for some time to come.

It is wise for non-Catholics to note that one does not simply write to the Pope and ask him to answer any and every question to which he immediately gives a definitive answer. Before the Pope speaks, theologians must formulate the question with accuracy. This takes time. To ask the Pope to speak before that time is fulfilled is naive understanding. Badly constructed questions should never be answered because to such questions only badly constructed an-

swers can be given. Such answers help no one but rather cause confusion which is one thing the popes try to avoid at all costs.

While the question evolves toward accuracy, the Popes do speak, but only to the presently achieved status of the question. From Leo XIII to the present Pope John, we have such a series of papal pronouncements which help the theologians in their quest for the finally right form of the question.

In the current debate concerning the meaning of concord between the secular and the sacral, certain points of clarification are emerging. One is that the natural state operates only in terms of human law. The other is that the notion of state must be constantly revised in the light of what modern states really are. The third is that geometrical positions of abstract thought are not meant to be blueprints for concrete structures.

Certain conclusions have been recognized. The first is that human law for the human community is not a religious profession of faith nor even a prolongation of divine law. For human law to banish certain immoral things might in a concrete case disrupt the community because the execution of the law through wide police intrusion into private life might make life in the community intolerable. Human law is for the natural common good of all, and no laws should be made which are not necessary for that common good. Law is always restrictive on human liberty, and we



should not have more laws than are really needed. As Pope Pius XII said in his address to the fifth National Convention of the Union of Italian Jurists on December 6, 1953, the national state of today must not overlook its international character in the world we live in. Religious toleration for the late pontiff is an absolute necessity on the international level of law.

We must remember that the doctrine of the First Amendment whereby the American state has no competence to make laws concerning religious faith and practice, thus assuring fullest religious liberty in the land, is not a theological statement but a legal principle. It is a law of the land and the only question facing us is whether it is a good or bad law.

From the day of the promulgation of this basic law to our time, Catholics have enthusiastically accepted it as a good law, to be preserved now and in the future. In December of 1787, Archbishop John Carroll, the first Catholic bishop of our country, said in the *Columbian Magazine*: "Freedom and independence, acquired by the united efforts, and cemented with the mingled blood of Protestant and Catholic fellow citizens, should be equally enjoyed by all." A contemporary of Carroll, Bishop John England, put Carroll's thought most forcefully: "May God long preserve the liberties of America from the union of any Church with State! In any country, with any religion, it is an unnatural increase of the

power of the executive against the liberties of the people."

From those early days to our own, bishop after bishop has made similar statements. In fact in 1948, on January 25, the late Archbishop John T. McNicholas of Cincinnati issued a statement authorized by the episcopal board of the National Catholic Welfare Council in which it is stated:

We deny absolutely and without any qualification that the Catholic bishops of the United States are seeking a union of Church and State by any endeavors whatsoever, either proximate or remote. If tomorrow Catholics constituted a majority in our country, they would not seek a union of Church and State. . . . In complete accord with the Catholic doctrine, we hold firmly that our own constitutional provisions are the best for our country. Even had we the authority to do so, we would not change one iota of them.

In this very year 1960, on March 18, Archbishop Egidio Vagnozzi, the papal delegate to the Catholics of the United States, said magnificently at a luncheon held in his honor at Loyola University, Chicago:

As far as the United States is concerned, I feel that it is the true interpretation of the feelings of the hierarchy and of American Catholics in general to say that they are well satisfied with their Constitution and pleased with the fundamental freedom enjoyed by their Church; in fact, they believe that this freedom is to a large extent responsible for the expansion and consolidation of the Church in this great country. Whether they remain a minority, or become a majority, I am sure

that American Catholics will not jeopardize their cherished religious freedom in exchange for a privileged position.

These are only a few pronouncements of a long and constant series of episcopal statements. I just cannot see what more assurance non-Catholic Americans can ask of Catholics. Officially and really, American Catholics do not want now or in the future a law which would make Catholicism the favored religion of this land. They do not want the religious freedom of American non-Catholics to be curtailed in any way. They sincerely want the present First Amendment to be retained and become ever more effective. With a note of desperation I ask, what more can we say?

**T**HE thinking Protestant is prone to accept this sincere profession of loyalty to our country. But he has qualms. He says to the Catholic: Yes, I know you think this way, but in history and even today in other lands your record is not good. How can I be sure that what has happened elsewhere will not happen here?

The Catholic can only answer: Look about you! The heads of state in West Germany and France are Catholics. This is also true in Ireland, Catholics will soon be a majority in Holland. Do non-Catholics in those lands feel any oppression or do they even show any fear of such an event? If it is true

that Catholicism is established by law in some countries, it is equally true that such establishment is found in lands called Protestant. In England the royal sovereign to receive the crown must swear to protect Protestantism. It may be that such laws are good laws for those communities, maybe not. The American Catholic is not concerned. He only knows that the American law of religious freedom for all citizens is excellent law for his land.

Some non-Catholic Americans feel quite assured that American Catholics do not want to and, what is more important, cannot change our American freedom of religion. They are afraid of something else. A Catholic lawmaker or a Catholic executive might deviously push Catholic moral precepts into our laws and in consequence non-Catholics would be hampered. Some shudder at the thought of a Catholic Mass being said in the White House or the dark influence of the priest who hears the confession of a Catholic statesman.

Once more we are faced with a confusion. The function of civil law is not to teach theology or even the moral views of the legislator. In conscience, be he Catholic, Protestant or Jew, it would be immoral for him to impose on the community what he thinks immoral. He would have to disassociate himself from such an action. However, the toleration of immorality, if such toleration is demanded by the common good, is good law and in ac-

cord with the morality of political action. This usually is the task facing the statesman. He is not a moral philosopher or a moral teacher.

That a Catholic statesman comes to his task with a Catholic conscience is as true as the fact that a Protestant statesman comes with a Protestant conscience. But for both of these men the task is exclusively the making of good laws. The obligation of civil law is not of the same nature and scope as the obligations of the moral law. I do not say that law can prescind from morality, but I do say that the attempt to impose one moral theory or another is not the function of the statesman. Here he takes his lead from the consensus of the community.

In America any elected official is a citizen designated by the people for some temporary function of state. This man has a double life. He has his own and that of a civil servant. If in his own life he wishes to worship in one way or in none, this is no political concern of the civic community. By our laws he is free in the matter. In his public role he is a man of the law which is framed for practical purposes and canonizes no philosophy or theology. I can conceive of a highly moral man who in his interior conscience considers traffic in liquor to be immoral and yet could refuse to make a law about it, or vote for the removal of such existing legislation. He is being highly moral in his political action if he

judges that such a law would do more public harm than good.

As for the guidance which a Catholic man of state would receive from a competent confessor, I need only state that the priest would insist that the prime obligation of the statesman is to enact laws for the common good of his concrete community according to its unique history and character, or execute such laws already made. The confessor's service to the public figure would be exclusively private, moral and religious. He has no competence in political matters which belong not to the order of morality and piety but to the order of law.

Nor would I think that a Catholic President would have Mass in the White House. He knows that this would be displeasing to many of the people in whose name and power he acts. It could far more easily happen in the term of a non-Catholic President because he would not be suspected of pushing Catholicism. It has been my experience that Catholics are less embarrassed when dealing with non-Catholic political figures than with one of their own. With the Catholic office holder we are so careful to do nothing which would cause comment.

As for the interference of the bishops or the Pope, it can be said without hesitation that there would be none of it. The Pope does not meddle with the political activity of Adenauer or De Gaulle, nor would either man permit it. The

Catholic President's comportment with the clergy of his church would be exactly like the comportment of a Protestant President with the clergy of his church. Both would give the clergy the same social deference which the community at large grants them—no more and no less.

To all non-Catholics I would suggest that they keep in mind the difference of the order of law which is the political concern and the order of religion and ethics which is the believer's concern. The two are not the same nor do they produce conflicts *per se*. The morality of divorce, birth-control, liquor traffic and the like are one thing. Civil legislation about them is quite another. Morality is categorical and obliges by inner consent. Legislation is conditioned and works by some kind of external coercion.

Let non-Catholics also remem-

ber that the theological questions involved in the relations of the Church today with the modern State are still in the process of exact formulation. You cannot hurry such a process and it is rather annoying and irrelevant to ask questions which are hardly as simple as the questioner believes. Nor should we consider a pure geometry of Church-State relationships as a practical guide for action in the concrete world. Above all, non-geometers should not geometrize for us. We'll do better by ourselves.

I conclude with a personal testimony. I have been working in theology over 30 years. I have always admired and loved my country with its institutions and history. I can sincerely say that there is absolutely nothing in Catholic theology which would prevent a Catholic from holding public office on any level according to the spirit and letter of our American laws.

### —Who Will Lead?—

There is a revolution going on now in Latin America and we need it—but unfortunately a large segment of Latin American Catholicism is too conservative. They still do not understand the absolute need of accomplishing this revolution through social justice. If the Catholics don't lead the revolution, the Communists will. It's in the cards. For too long many Latin American churchmen have been presenting the sermon on the Mount as just a catalogue of humility, poverty and obedience, as though religion were only a means of keeping the people quiet. Yes, the Church in Latin America is in general too conservative. But what is there to conserve?—RAMON YLLARRAMENDY in the CATHOLIC WORLD, February, 1961.

*The principle of separation of Church and State has not meant in this country that churches and synagogues should keep hands off the decisions and policies of the state. We cannot limit religion to the sphere of private life.*

## Cultural Pluralism:

### *The Religious Dimension\**

DR. JOHN C. BENNETT

*Dean, Union Theological Seminary*

One of the results of the discussion of religion in the recent campaign is that sometimes the impression has been created that religion is irrelevant to public life. The candidates on both sides were so eager to disengage themselves from religious controversy that they stated their case in a way which easily leads to the conclusion that religion is a private matter which

has no effect, one way or another, on any citizen's opinions or commitments in the sphere of politics. Rejection of political sermons by Protestant preachers and of political directives from Puerto Rican bishops, while entirely justified, was often put in such a way as to cause people to forget that voting is a moral act, as the bishops said. Father Gustave Weigel in his il-

\* Dr. Bennett's address upon receipt of the Morgenstern Award presented annually by the National Council of Christians and Jews.

luminating lecture that was very reassuring to non-Catholics seemed to some readers, both Protestant and Catholic, to separate too completely the moral law from the positive law of the state. I believe that Father Weigel's position can be clarified so that this impression can be removed but the fact is that many did understand it in that way.

However, there must be some mistake, because each of the three religious communities that is represented here is obligated and inspired by its faith to seek to influence public life. The principle of separation of Church and State has not usually meant in this country that churches and synagogues should keep hands off the decisions and policies of the state. Each religious body has had its own way of relating itself to these decisions and policies and has had its own emphasis in regard to the range of issues in which it has been interested. But Christians and Jews, Protestants and Catholics cannot limit religion to the sphere of private life. And politics are the instrument for making many of our most fateful decisions in public life; decisions which may have profound moral influence on private life as well.

Father Weigel in one of his sentences has given us a clue that may help provide an initial answer to the question in our title: "What difference, then, does religion make?" After saying that the Catholic officeholder is not religiously bound to use the law of the land to impose the distinctively Catholic view of

the moral law on the community as a whole, he says: "Here he [the office-holder] takes his lead from the consensus of the community." This is quite right, but the next question that we all must face is this: What influences form the consensus? I believe that the primary task of our religious communities and institutions is to raise the level of the consensus. It is this which may create better possibilities for political decision. It means a more sensitive public conscience on the most important issues. This dimension of our work is sometimes called "pre-political" but it is relevant to politics.

**O**UR three religious communities differ on some matters of public policy. (I refuse to say "three faiths," though I recognize that sociologically the reference to three faiths may be permitted. I refuse to admit that Catholics and Protestants represent two faiths and while it may be appropriate to think of Christianity and Judaism as two faiths, the kinship between them should be emphasized as Pope Pius XI did when, at the height of the Nazi terror, he said that we are all spiritually Semites.) There are a few areas on which Protestants and Catholics differ and there will continue to be tensions between them. In this country I think that the main differences between us are on medical ethics, on problems in the sphere of sex and marriage, especially those that involve birth con-

trol and divorce, on censorship, and on issues connected with education. There are differences among Catholics on the use of the law in regard to some of these questions which they regard as moral questions. There are shades of difference among Protestants on the educational issues. Jews and Protestants are close together on most of these matters, though Jews are more united than Protestants in their objection to experiments which relate religion to public education. These various differences are important and we should not soft pedal them in interreligious discussions but surely the areas of agreement are far more important. If this were not the case, our pluralistic experiment as a nation might not be viable.

**B**EFORE I call attention to some of the areas of agreement, I must explain that on the larger public issues no one of our religious communities is agreed within itself. This creates its own problems but I think that there are two things that can be said about it. 1) Whenever disagreements cut across religious lines they cease to divide the nation as deeply as would be the case if social and political conflicts coincided with religious differences. We may be thankful for the overlapping of our three religious communities, however much there may be differences within each of them. 2) My second comment is that our three traditions do bring common moral norms to our society by which

not only our nation but also our churches and synagogues are themselves judged. The fact that all three of our communities have the Old Testament in common is of vast importance for American life even though it is quite true that Christians and Jews differ in their ultimate interpretation of the Old Testament. In spite of these differences the prophets of Israel are masters of us all in our interpretation of public morality. The mind and heart of Abraham Lincoln were formed by the Bible. He was not a member of a church and yet it can be said of him, as Reinhold Niebuhr has said on many occasions, that he was America's greatest theologian. He was able to express dimensions of faith which are Biblical, which can inspire us all, and which can correct many of the wrong uses of religion in each of our religious communities. His devout recognition that the nation lives under the judgment and mercy of God who transcends it and who cannot be possessed or used by it and his understanding, in the midst of a great conflict, that neither side can claim God wholly for its cause bring to the fore religious insights which belong to all three of our religious communities. How different from the common habit of using religion to support the pride and self-righteousness of the nation.

Yes, there are significant differences on public issues within our religious communities. I know that among Protestants there is the difference between economic individ-



ualists who identify the practices of an earlier, unreformed capitalism with a Protestant ethic, and those others who have a strong sense of the community and of the moral obligations and opportunities of a community to direct its economic activities in the interests of social justice and of the welfare of the people as a whole. There are all shades of differences among Protestants here. I find myself much closer on these issues to many Catholics and Jews than to many of my fellow Protestants. On the great issues of the cold war, on judgments concerning the best emphases and strategies in dealing with communism, on the relative place to be given to the direct effort to reduce the danger of war through negotiation, through forms of disengagement and through disarmament, on the way in which the issues of internal security and civil liberties are weighed and related to each other there have been deep differences within each of our religious communities.

**W**HAT are some of the moral norms and purposes which all of our religious communities bring to our national life? Each one of us, if he were to answer that question, would do so in his own distinctive way in the content of his own faith, but my effort to give my own answer may stimulate your thought about your answers.

Churches and synagogues together should remind the national com-

munity that it belongs to God and is responsible to Him, that its own will is not the highest law. There could be arguments among us about the status of our knowledge of the transcendent divine righteousness. There are among Protestants rebellions against stereotypes of the natural law, partly because non-Catholics tend to believe that Catholics know too much about the natural law and include within it injunctions which are not supported by the consciences of many Protestants or Jews and partly because of the individualistic form of natural law (so alien to the Catholic understanding of natural law) that for generations prevented the American courts from recognizing the needs of an industrial society.

But this rejection of stereotypes of the natural law should not mean the rejection of the righteousness of God which transcends our own righteousness. Surely there is a moral order which human laws do not create even though we may not be as optimistic as most of our predecessors about the dependability of our rational knowledge of it. There are differences here but they should not obscure what is common to our traditions in contrast to a secular moral relativism. It is well to be reminded that John Calvin, for all of his dark view of fallen man, had remarkable confidence in man's capacity to create and preserve a decent civil society, a capacity that was a gift of what he called "common grace." He even believed that all men could be trusted to know



a great deal about the moral law. He refers to "that perpetual consent of all nations, as well as all individuals, to the laws, because the seeds of them are innate in all mankind, without any instructor or legislator." He says that "man is naturally a creature inclined to society; he has also by nature an instinctive propensity to cherish and preserve that society; and therefore we perceive in the minds of all men general impressions of civil probity and order. Hence it is that not a person can be found who does not understand that all associations of men ought to be governed by laws, or who does not conceive in his mind the principles of those laws" (Bk. II, Chap. II, par. xiii).

I confess that is a degree of confidence in the natural knowledge of the moral law which I do not share. Our world is a much more broken world than Calvin's and the empirical grounds for questioning the reality of the perpetual consent of all nations to a transcendent law make me less optimistic than Calvin. Yet, I do believe that the objective moral order does press upon us even when we do not recognize it.

Some of us may be more pragmatic than others as we face particular problems but it makes a vast difference if our pragmatism of method is our way of relating to each other in particular circumstances moral values and goals and principles which all have a claim upon us but which are in some measure in tension with each other, or if it is an unguided movement

within a flux which includes no moral landmarks except the wills of men. Protestant and Jewish pragmatism and Catholic prudence may not be as different from each other as differences in theoretical frames suggest.

OUR traditions call us to a radical sense of justice which is not merely response to recognized rights and claims but the raising of the opportunities of all human beings everywhere to establish neglected rights and claims. Churches and synagogues alike are committed to a concentration on the neglected, the exploited, the defenseless people. We are committed to the stranger who is also the neighbor, to the poor who are sold for a pair of shoes, to the least who are hungry and thirsty and naked and sick and in prison. There is in all of our traditions a bias in favor of the victims of society, in favor of all who cannot defend themselves. One of our problems arises when the defenseless of one period over-defend themselves in the next! Sometimes we are exhorted to have done with this democratic leveling process because what is needed most is excellence. And yet we cannot even discover the sources of excellence until we raise up the people who have never had a chance to develop their capacity and to live a fully human life. I think that the greatest contemporary Protestant theologian, Karl Barth, puts the matter very well when he calls for commitment

to the human, to man as against systems, ideologies, causes. As he says: "Man has not to serve causes; causes have to serve man" (*Against the Stream*, p. 35).

We must defend the human being in God's name. This means that we must work for genuine equality of opportunity for all children of all races and classes and nations; that we must be concerned that people be protected against arbitrary government; that we must not allow the hostility against the government or the prevailing ideology in another nation to hide the essential humanity of the people of that nation, including the people who believe in the ideology which we oppose; that we must be as much concerned to prevent nuclear war as we are to prevent the extension of communism; that we must work for the humanizing of punishment and reclamation of offenders, young and old; that we must seek conditions favorable to the stability and health of the family.

You may say that these are objectives that belong to the area of platitude and that the real questions have to do with method. We may indeed hope that such is the case. But there is a difference between the uses of platitude. One use is to emphasize it as an objective and seek to find an effective method by which it can be realized. The other is to use it as a cover for the lack of concern about relevant and effective methods. When a nation really agrees on such goals as these; when it cares

about them; when it wills the necessary means to them, it is much blessed. In so far as our nation does *agree* and *care* and *will*, it is in large measure the effect in our corporate life (in what may be called our collective unconscious—whether or not that is technically a good expression) of our religious traditions.

I NOW want to guard against a misunderstanding that is always very near whenever we talk about the common elements in our religious traditions in an interfaith setting. I make a distinction between a moral and religious common denominator and what we might call the area of overlap in the influence of our three religious communities and their traditions.

When we think in terms of a common denominator the danger is that this will become detached from its sources in the particular traditions, that it will become something that exists in and for itself, that it will then be given a kind of American sanction and become the fourth religion about which Will Herberg and many other critics of our culture speak. There is a danger that interfaith discussions may encourage this secularized fourth religion, that it may become an American religion, that it may lose both the inspiration and the correction which are available in each of our traditions.

In contrast to such an emphasis on the common denominator as a thing in itself, I think that we

should emphasize the continuing influence of our churches and synagogues as they teach and live according to their distinctive traditions. There is a moral consensus but this always needs to be renewed and corrected by the historic faiths in their fullness. Let each community of faith be true to itself, let each community of faith be dynamic as it touches our common life and let us rejoice that there is this area of overlapping that enables us to live together with much cooperation and mutual understanding on the level of moral decisions in the civil order. The continuous education of the American conscience by our three religious communities is our common responsibility.

In emphasizing differences in traditions I am not suggesting that we should make a virtue of differing from one another in religious matters, but the fact is that we do differ and it is not helpful to try to hide our differences. It is better to live within a whole tradition than in that part of it which can be held in common with those in the other two religious communities. The sources which we have in common are not in themselves enough to nourish our minds, our hearts or our consciences.

One special contribution to the freedom of the spirit in our culture comes from the very fact that churches and synagogues are unde-

close ties with churches and synagogues in other nations. Speaking as a Christian, I see a great resource for human freedom in the fact that no Church is a true Church unless it lives as part of a universal Church. The Roman Catholic knows where the center of that universal Church is; the Protestant may seem vague at this point. But religious freedom includes the opportunity of any Church to preserve its ties with the larger Church in ways consistent with its own doctrine and policy.

**I**N much of the discussion of the danger of having a Roman Catholic President the assumption has been made that being a Protestant Christian is an entirely innocuous occupation and that there could be no conflicts of conscience between a Protestant and the demands of public office. There is always the possibility that any conscientious office-holder may find that what is required of him stretches the limits of the morally tolerable in the light of his religious convictions. A factor which reduces the occasions for such a conflict is that faithfulness within the context of one's public responsibility, in the light of the limitation of real alternatives in a situation, is itself one of the moral considerations which should guide the conscience. To withdraw from a situation in order to preserve one's own integrity and to leave the hardest actions to others may not be as high a road morally as it appears on the surface. But in rapidly changing

and unpredictable circumstances conflicts may arise that call for withdrawal not only to preserve personal integrity but to warn government and nation against the results of disastrous decisions. Perhaps within the area of preparedness for nuclear war such an issue may appear, even when one has rejected all stereotyped forms of absolute pacifism or nuclear pacifism.

The prospect of an irreconcilable conflict between a man's religion and his public responsibilities may be quite remote in this country, but it is part of the business of the churches to keep the possibility of such a conflict alive. Freedom of conscience, without which the most precious elements in our American heritage would be lost, is sustained by membership in a religious community which is not identical in members or in traditions or in sources of authority with the national community. It is for this reason that totalitarian governments always try to suppress or to domesticate the churches. They know that it is much easier to control individuals one by one than a religious community that lives by a different faith than that of the state and which has the corporate toughness to resist the state.

**I** SHALL now speak of three specific problems which are often raised when we emphasize the influence of our religious communities on our common life. The first is the problem of how far a religious com-

munity should use its political influence to enact its own specific moral convictions into the law of the state. The second is the relationship of our religious communities to partisan politics in an election. The third is the role in a religiously pluralistic society of those who reject the traditional forms of religion.

It is a part of our religious liberty in a pluralistic society to be free to convert others to convictions which we regard as essential and this includes the moral convictions which separate our religious communities. I refer to convictions on such matters as birth control, the permissibility of divorce under some conditions and sterilization. Also, in a somewhat different context, we have differences concerning the regulations of gambling and the sale of liquor. Each religious group has a right to seek to persuade others in regard to all of these matters. On the other hand, I believe that each community should be very restrained in its approach to legislation that is designed to enforce particular moral convictions on the whole community.

There is a broad consideration that applies to all legislation that is intended to control personal moral behavior. Where enforcement of the law depends on the active cooperation of most citizens in their daily decisions we soon come up against the limits of what law can accomplish. An alert minority may succeed in enacting a law which gradually secures support on the basis of its harmony with many

public interests but unless that support is forthcoming it is likely to fail. The situation is most favorable where the law becomes almost self-enforcing through the publicized activities of institutions. There can be cheating in the enforcement of the federal laws which have set up the system of social security but these laws in the main create routines that are accepted by all parties. Even where there is very general agreement about a question of personal moral conduct, the religious group or the moralist must recognize the limits of law. Religious communities should not seek to turn all sins into crimes under the law of the state. Dean Roscoe Pound makes this point when he quotes these words from a fifteenth-century Year Book: "Some things are for the law of the land, and some things are for the chancellor, and some things are between a man and his confessor" (*Law and Morals*, pp. 66-67).

Whatever may be said about the persuading of the community in order to win it to the special convictions of a particular church, the most important emphasis now should be on the restraint of every religious group in not using its political power to impose its moral convictions on the whole community against the will and the conscience of other groups.

Protestants have often been offenders here. This was true of Prohibition, though this may have been more against the will than against the conscience of others. It is also

true of some Sunday laws as they affect Jews. Non-Catholics today welcome the willingness of many Roman Catholics to say that, while they adhere to their moral convictions about the use of contraceptives as a part of the discipline of their own Church, they doubt if it is socially desirable to enact these convictions into the law of the state. They often say that the laws in Massachusetts and Connecticut, were enacted by the Protestant conscience in the nineteenth century, and it is a fact that they have not sought to enact such laws in other states. Today the Protestant and the Jewish conscience is generally opposed to those laws and Protestants and Jews are right in asking Roman Catholics to withdraw support from them.

WHAT should be the relationship of religious bodies to partisan politics during an election campaign? In what I have said about the influence of religion upon political decision, I have spoken of the indirect influence that is pre-political, that affects the moral assumptions and scale of values in the community. Does this mean that during an election churches and synagogues should keep hands off entirely? Is any interference in a particular election by religious leaders or religious bodies wrong in principle and incompatible with democracy? During the recent campaign much was said to indicate that the answer to this question must always

be "yes." But I think that we should avoid allowing the exigencies of one situation to box us in, so that we are not free to recognize forms of action which may be required in another situation. The misuse of pulpits in connection with this election has caused many things to be said which threaten the freedom of the pulpit if an issue of grave moral importance is at stake in an election.

**O**UR American party system, with its two inclusive parties which do not represent doctrinaire positions, make it natural to assume that churches should always be non-partisan. Though there is a difference in emphasis, especially on economic matters, between the tendencies of the two major parties, each party does include a wide spectrum of opinion even in that sphere—with Harry Byrd and Paul Douglas in one party and Barry Goldwater and Nelson Rockefeller in the other. It would be absurd to suggest that a Catholic or Protestant or Jew should, as such, be a Democrat or a Republican. Yet it is conceivable that in a political contest within one of the two parties, or even in a local contest between the parties, an issue might arise that would call for guidance from churches and synagogues to their own members. A primary election in which one of the candidates is committed to white supremacy and segregation might be such an occasion.

I see no reason why we should affirm that the leaders of a church should never enter into a political conflict. The distinction that has been made by Vatican circles between what is appropriate in the United States and what may be appropriate in Europe is justified in part by the difference between our inclusive parties and the multiparty system in European countries. Should the churches not have acted to warn their members against supporting the National Socialist party in Germany in its early days? And should it not be on the alert to warn against any political movement or party that is dedicated to anti-semitism, to white supremacy, to totalitarianism of the left or the right, or to an aggressive militaristic policy?

I have spoken only of guidance by a church to its own members. And, even in the extreme cases of which I am thinking, such guidance should involve condemnation of a political movement rather than the positive identification of the church or of the symbols of religion with a political movement. I think that it is most unfortunate if any such guidance is combined with threats of a religious penalty and, in most cases where such a threat has been made in recent years, it has not been carried out. The ambiguity about whether or not disobedience to the directives of the Puerto Rican bishops in the recent election was a sin was one reassuring aspect of that event.

I have been speaking of extreme

cases and I cannot foresee a situation in which any such case might arise in a contest between our two major parties. The right of a church to make political judgments should not be denied, but great restraint is required because, when the passions of politics are combined with the passions of religion, a nation becomes very sick indeed. The devil gets into political life when citizens of the same state are separated by absolute differences of conviction. Even if an absolute difference on one issue does arise, it is a source of healing if those same citizens belong together on other issues in the same political organizations. For this reason religious parties are to be avoided at all costs.

There is one dimension of our problem that I have not mentioned: the relationship between our religious communities and our fellow citizens who reject all traditional forms of religion. Religious liberty includes the liberty to reject religion. It includes the liberty to teach atheism. Religious pluralism must provide room for the many forms of humanistic secularism which are often very critical of all three of the traditions represented here.

Our institutions depend upon freedom of thought and expression which is not limited by the boundaries of any of our religious communities. If we do not respect the mind's right to come to its own conclusions without invoking any external pressures to keep it from moving into territory that is foreign or even repellent to us, we do vio-

lence to the mind's integrity. Even if we may be taught by our traditions that the highest freedom is freedom to believe what is true, if this adherence to truth is dependent upon manipulation and subtle intimidations, it is hollow and unreal. Religious freedom which is fulfilled in the freedom to believe often begins as freedom to deny and it is soon corrupted if on the way it is kept on a safe path by coercion of any kind. This does not mean cheap tolerance of all ideas but it does mean a deep concern to refrain from violence to the conscience of any man. When the formula, error has no rights, is translated into the formula, consciences in error have no rights, it will be generally rejected by the representative of all of our religious communities.

THE guardians of religious traditions must take a step beyond this formal admission that religious liberty includes liberty to reject all of the forms of historic religion. They should all confess that each one of our great traditions is often found in distorted forms and quite naturally produces the revulsions which lead many honest souls to atheism or to some non-theistic humanism. Each one of our traditions is so many-sided that some adherents, even whole religious institutions, can come to embody one emphasis at the expense of another and the result may be a great distortion. There are forms of religion which are an affront to the minds and consciences



of many persons and if they do not discover other expressions of religion, they are likely to reject all traditional forms of religion because of their honesty and of their moral sensitivity.

I have recently read a history of the ways in which many of our churches defended their faith against each of the emerging sciences. As one looks back at the history, it might seem to be a miracle of Providence that they survived their own forms of self-defense. The ways in which religion has been used to give moral sanction to injustice, to slavery and to segregation, to the exploitation of the workers under early capitalism, to an uncritical national imperialism, to most forms of bigotry, have created anticlerical and anti-religious movements and they have caused many persons to develop new and unconventional forms of religious expression.

THE churches can always learn a great deal from their critics and even from their enemies. Atheists are often the product of false images of God or of the efforts of religious communities to capture God for their own purposes. I doubt if there is a greater failure in the life of the Christian churches, Catholic and Protestant, than the failure to understand in time the moral meaning of the industrial revolution and their tendency to support the rich and the powerful against the victims of early capitalism. If the

churches had not failed at this point, humanity might today be spared its deep spiritual conflict between the two worlds. There would be many conflicts international and social, but the deepest estrangement among men today is in large part a result of the response of Marxist atheists to the moral failure of Christians.

In 1948 the Assembly of the World Council of Churches said with great candor: "Christians should recognize with contrition that many churches are involved in the forms of economic injustice and racial discrimination which have created the conditions favorable to the growth of communism, and that the atheism and the anti-religious teaching of communism are in part a reaction to the chequered career of a professedly Christian society."

In that same year the bishops of the Anglican Communion at the Lambeth Conference said: "We have to admit that the Christian Church throughout the formative decades of the industrial era showed little insight into what was befalling human society. It was still thinking in terms of feudalism. The Church of England was identified almost completely with the ruling classes, as were the churches in Central and Eastern Europe. Its own economy had the marks of a dying feudalism or latterly of a bourgeois society. Apart from provision for the education of the poor and the work of some churchmen for the emancipation of slaves and of children in the factories, it was slow to take the



initiative in the desperate fight for social justice."

This deep conflict is not present within our country, though our decisions and policies are conditioned by it. American religious communities have great difficulty in relating themselves to the revolutionary impulses in the uncommitted world. More broadly, I believe that we who represent the great historic religious traditions of the West should realize that our own communities often need to be challenged by the secular critic or the religious rebel. We are the better for being put on our mettle in this way. I doubt if Christians, Catholic or Protestant, would have ever done enough to defend the religious liberty of all men if there had not been this kind of challenge stemming from the Enlightenment. I doubt if Christians, Catholic or Protestant, would have come to care about the intellectual freedom of science, if scientists had not often defied religious authorities and won this freedom for science. I doubt if the whole modern democratic movement that has corrected so much of the neglect and the injustice of all history and has given new opportunity and status to the working classes, to the colored races, to the dependent colonial peoples, even to women, would have succeeded as much as has been the case unless many an attack had been made upon religious institutions.

I do insist that many of the inspirations that have led to these gains have come from our religious

traditions and that every secular movement requires correction that it is not likely to provide from its own resources. But those of us who represent the great institutions of religion always have a dual responsibility: to bear witness to the truth that we have seen, and to repent of the ways in which we and our institutions have obscured it. If we look out upon our own country today in this spirit, we will not merely in a grudging way allow for the freedom of our neighbors who oppose our traditions to be true to their own minds and consciences, we will also admit that our religious institutions have often caused them to fail to understand our truth and, as of now, their witness is often needed to correct our continuing failures.

THIS recognition of the role of the rebels against our religious traditions in our culture should not mean that we ourselves are tepid in our own religious loyalties. We should know that every religious tradition has its own characteristic distortion and that rebellion against them may be a service to our traditions, to our churches and our synagogues. Our faithful witness should do justice to those who have been alienated by these distortions. They are often closer to the truth which is committed to us than the complacent believers whose minds have never been disturbed by distortions of that truth. Yet, without these precious traditions, the con-

sciences of many rebels would be less illumined and without them our culture would lack transcendent judgment and inspiration; it would tend to represent a flat contem-

poraneous materialism with little to challenge either the cults of prosperity and pleasure or the interest of those who possess the dominant forms of power.

### Freedom and the Trade Union

I have never been much impressed with the argument advanced by some writers against the closed or union shop that the freedom to join or not to join a union is like the freedom to marry or not to marry; that membership in a union is, like marriage, a right and not a duty. The argument seems to me to fail for two reasons. In the first place, the few who do not marry can depend upon very strong natural inclinations which will lead the vast majority into marriage and so provide for the continuance of the human race. There is no natural inclination of comparable strength which will lead the great majority of men to join and foster a trade union. In the second place, the men who do not choose to marry are not thereby freed from all regard for the future of the race; on them rests a general duty of helping the more heavily burdened and a special duty of doing such work as their relative freedom from family cares makes it the more possible for them to do. There are very few instances indeed in which refusal to join a union has not been due to a cynical or merely lazy contracting-out of all responsibility for good order and for justice. For these negative reasons and for the positive reason that it is only in and through the trade union that the wage-earner can play an effective part in the struggle for defense and for social reform, it is my contention that the union shop, if not the closed shop, is fully justified.—J. R. KIRWAN in the CHRISTIAN DEMOCRAT, January, 1961.

*For the first time since World War II, American Catholics are again trying to decide what shall be their proper place in the composite called American culture.*

## American Catholics:

### *History of a Minority\**

THOMAS T. McAVOY, C.S.C.

*Professor of History  
University of Notre Dame*

**B**EFORE one can speak of the history of the Catholic minority in the United States, one must first decide whether there is such a minority. No one challenges the statement that Catholics are a numerical minority in the nation, no matter how large or small he considers the Catholic population. On the other hand, I have, at times, been challenged for my use of the phrase "the Catholic minority in the United States" because of the lack among American Catholics of any political

characteristic commonly associated with a minority. Most political minorities have as their purpose the maintenance of some kind of political autonomy and, perhaps, eventual independence. The classic examples of the political minorities were those of the old Austro-Hungarian Empire. I do not believe that any notable number of American Catholics have any ambition to set up an independent Catholic political organization in the United States. The minority here is religious.

\* Reprinted with permission from *Thought*, Fordham University, N.Y. 58, N.Y., Winter 1960.

On the other hand, because the Catholic minority is such a loosely associated group, the use of the term "minority" is criticized on the grounds that everyone belongs to some kind of minority on social matters, on political beliefs, on economic groupings, or the like. In one sense, the two political parties of the United States usually are composed of alignments of many of these minorities into a political organization capable of winning a majority of the electoral vote. Catholics are found in nearly all these political, social and economic minorities, if the word is used in that sense, and in them do not stand apart.

But when I speak of the Catholic minority in the United States no one has any doubt what I mean. And since these Catholics are a minority in the population, I feel that I have a basic right to speak of them as the Catholic minority in the United States.

**I**T IS fundamental to repeat that essentially the Catholic minority is a religious group. Their bond is a common faith and practice in the field of religion. This does not mean that they intend to be a minority in the sense that they think that one religion is as good as another. They certainly do not believe that, and the fact that Catholics recognize only one religious faith as fully valid tends to make the Catholic minority not only distinct but unique in American life.

On the other hand, there have

been, and undoubtedly will continue to be efforts by Catholics and non-Catholics alike to regard this religious group as a potential political body which can be used for political purposes. I think there is an explainable fear of this on the part of non-Catholics who do not share the unique Faith of Catholics, especially if they do not understand the hierarchical character of Catholicism. Some Catholics who have been badly treated or even feel that they have been discriminated against because of their religion, when they forget the religious nature of their distinction, wish to urge Catholics to band together in nonreligious matters to offset or revenge the alleged discrimination.

Most tensions between Catholics and non-Catholics are only accidentally religious and arise from alleged political, social or economic discrimination. Catholics are not unique in this. Name any religious group that is a minority in any American community. Once the community realizes that these people are different in some important matter the reaction begins on both sides. But where this reaction between religious groups takes the form of violence or forceful denial of the benefits of good citizenship, then it is not religious, no matter what religious excuse is offered for it.

There are two chief approaches to the problem of the Catholic minority in the United States. One has to do with the study of the economic, social, and political differ-

ences that have arisen as the result of religious differences of Catholics from their fellow citizens. Here again it must be repeated that the word "minorities" does not properly belong to the discussion of the content of the religious faiths of the American people. In American law there is no established religion and hence no majority religion. The distinction between majority and minority refers directly to mere numbers but usually also refers to the other factors, such as country of origin, language, customs, and economic status of the members of the religious groups.

It is important to remember in this connection that, as the late Pope Pius XII has stated quite clearly, Christianity is not bound up with any particular nation or culture. This is an essential point in the discussion of the Catholic minority in the United States because there have been efforts at times to make Catholicism part of an Irish, or a French, or a Spanish, or a Polish nationality, or even in recent times to identify it with the culture of latinized Western Europe. Christian culture in the Western world has been closely associated with the Graeco-Roman world, but there have been and are, and probably will be in even greater numbers, Catholics of the Far East and of the Arab world who have had little contact with the culture of the famous Middle Ages of western Europe. Even in this country there did arise at the end of the last century the complex problem of how the Catholic Faith brought over from

Western Europe and associated so much with South European conservatism would fit into democratized America. And the recollection of that controversy leads to the second and more readily understood approach to the problem of the character of the Catholic minority in the United States, the historical approach.

IN the great crisis of American Catholic history which reached its peak at the end of the nineteenth century, the problem arose from the apparent conflict between a dominant American religious tradition, apparently Protestant and democratic, and a growing minority tradition apparently autocratic and Catholic. The crisis was resolved for Catholics by the papal affirmation in the *Testem Benevolentiae* of Pope Leo XIII that there is no conflict between American democracy or American civic tradition and Catholicism, just as there can be no religious compromise between Roman Catholicism and Anglo-American Protestantism. This decision stopped the controversy and settled the line for subsequent Catholic development, but only in recent decades has the full implication of the decision become apparent.

To Archbishop John Ireland and other leaders of American Catholicism of the 1890's, the mere suggestion that they were willing to compromise their Catholic Faith to become Americans met with indignant denials. Yet European critics

of the new American Catholic traditions refused to accept these denials and have never fully yielded their belief that American Catholicism is tainted with a heresy called "Americanism." In one sense the papal letter did not end the crisis, and after fifty years American Catholicism has not yet convinced its American neighbors of their full Americanism nor their European critics of their full Catholicism. This is the major controversy which swirls about American Catholicism.

Let us first see the character of the American cultural tradition. If we understand that the basic region of North America that was to constitute the original thirteen United States was a new England, we can also understand that the national culture of that region, especially the religious traditions of that region, would be that of England of the late seventeenth century and early eighteenth century. Whatever hope there may have remained among English Roman Catholics during the seventeenth century that England would return as a body to the unity with Rome, the Settlement of 1689, the so-called Popish Plot, and the subsequent renewed persecution seemed to have dispelled that hope. Monsignor Philip Hughes in his volumes on English Catholicism (*The Catholic Question, 1688-1829* and *Rome and the Counter-Reformation*) has described graphically the sad state of Catholicism after the failure of the Catholic Counter-Reformation.

So also Father Edwin Burton in his

*Life and Times of Bishop Challoner* describes English Catholicism of the early eighteenth century: "... never had the English Catholics been so low or their fortunes in so hard a case, as in the reigns of the first two Georges. With the failure of the Stuart cause their political hopes languished and at length died away; while there seemed no other prospect in the future than gradual extinction." Bishop David Mathew pictures the sad condition of English Catholicism in the Jacobean Age in the same despairing terms.

This was the dark religious outlook of that small group of English Catholics who had settled in what is now Maryland from 1634 until the end of the seventeenth century. This Maryland English group—predominantly Catholic—is in my opinion the nucleus of the Catholic minority in the United States. Much work remains to be done to find out what they actually hoped to achieve in English America. Although they did not regard themselves as less English than their Protestant neighbors in the new world, certainly they had no more hope of converting these English Americans than their fellow English Catholics in England had of converting the mother country. But, conscious of the truth of their Catholic teachings and courageous in the face of public discouragement, these Catholics seemed determined to retain the Faith and to pass it on to their children; and there is evidence in the courts of Maryland, after the non-Catholics had taken over the colony, that, despite social and poli-

tical persecution, some converts were added to the Catholic minority.

Eventually, as in all the English-speaking world, Irish Catholics fleeing from a similar persecution and from political oppression joined in some numbers this English Catholic minority of the new world. Even before the American Revolution there were also some German Catholic settlements in Pennsylvania.

Nevertheless, despite the existence of missions, mainly of Jesuits, and the leadership of Father John Carroll during the American Revolution, there was no real Catholic organization in the English colonies. The first stage of the Catholic minority in the United States ends with their formal recognition by the Holy See when Pope Pius VI appointed a bishop in the person of John Carroll, as Bishop of Baltimore, in 1789. The principal difference between these Catholics of English origin and their associates in America and the Catholics in England lay in the fact that after the enactment of the Constitution, for the first time in the English-speaking world since the Reformation, Catholics enjoyed full liberty under the law. From that time the legal question of tolerance was solved; the controversy has since remained wholly social and religious. But traditions that had been enforced by law for so many generations did not yield quickly to open persuasion.

During the next thirty years, from 1789 to 1829, under Bishop, later Archbishop, Carroll and his successors we have the gradual formation

of the hierarchical organization of the Catholic Church in the United States, the second stage in the foundation of the Catholic minority. Suffragan bishops were added in Boston, New York, Philadelphia, and Bardstown in 1808 and in Richmond and Charleston in 1820 to care for the Catholic communities that had formed in and near those towns.

In the meantime, in a series of local struggles, highlighted by the trustee controversies in Charleston and Philadelphia, the basic principle of episcopal ownership and administration of Catholic church property was established under orders from Rome and confirmed in the first Provincial Council of Baltimore of 1829. Parishes were to be multiplied, dioceses and even provinces were added as the decades of the nineteenth century passed, but the general organization of the Catholic Church in the United States was not to be changed after 1829.

**T**HUS, the essential organization of the American Catholicism was the ecclesiastical province presided over by an archbishop, with his suffragan bishops, who in turn ruled over the priests and the faithful, with the property of the Church vested in clerical ownership, either individual or corporate. Across diocesan boundaries were many religious groups, some organized independently by the local bishop such as the Jesuits and the Dominicans, others directly under the local bishops. These various religious groups



of priests, Brothers and Sisters conducted missions, established schools, orphanages, hospitals, and other charitable and religious institutions. In practice these religious groups were under the direction of the local bishop in planning their local activities.

**T**HE United States during the nineteenth century grew in population partly by birth and partly by immigration. The expansion along the advancing frontier, the diversification of occupation, the advancement of industry—all these modified the living conditions of the new country but not the essential cultural traditions of the people. In general, although much of the newer immigration came from outside the British Isles, at no time were these immigrants numerous or prosperous enough to change the general Anglo-American cultural traditions of the United States. But this was not true within the Catholic minority.

Had there been only Englishmen and their descendants in the new-world Catholic group, the members of Catholic parishes probably would have increased under the blessings of American liberty, but certainly they would not have multiplied in numbers nearly as fast as they did under the immigration of Irish, German, and other Catholics of Europe. Of these immigrants during the first half of the nineteenth century the most numerous were the Irish and certainly the most numerous group of priests applying for admission

into the newly established American organization were the Irish. There were also many French, Belgian, and German priests and Sisters and Brothers. The number of Irish coming into the country was to be multiplied after the famine years of the 1840's; and the Germans were to come in such large numbers that by the end of the Civil War the incoming Germans outnumbered those from Ireland. But the Germans were not nearly so dominantly Catholic. Although there were always some bishops of American birth and many native priests, the number of Irish clergy in the Catholic parishes soon outnumbered those of English and American ancestry; and soon also the Irish bishops in the hierarchy outnumbered the others until, in 1851, the appointment of Irish-born Bishop Francis Patrick Kenrick to the primatial see of Baltimore was an external sign that the Catholic minority in the United States had become numerically a predominantly immigrant body. In the first Plenary Council of the Catholic Church in the United States in 1852 not one of the six Archbishops present was a native American.

Thus, by the Civil War the third stage in the development of the Catholic minority had taken place. From a small dominantly English minority of about one per cent of the total population in early English America the Catholic minority had now become a regular church body with an organized hierarchy and numbering three millions or about one-tenth of the population—but



with a hierarchy and membership that was no longer dominantly English. Nevertheless, it must be borne in mind that, despite the change in the total organization of the Catholic minority, the cultural leadership of this body of Catholics in the United States had remained with the English Catholics and their earlier companions in the country, whether Irish or continental, because these had already become part of the national culture in language, literary tradition, and political and social customs in all that did not impinge on their religious faith.

The centers of this cultural group were in Maryland and in Kentucky, where many of the Marylanders had moved shortly after the opening of the West. Already in the Catholic group elements of what was rudely called "a Catholic nativism" had become evident. American Catholics and even Irish of several generations in this country, while resentful of anti-Catholicism, were also quick to insist that there was no conflict between their religious faith and their American political and social heritage and to resent the efforts of Irish or Germans or any others to create a non-American Catholicism in this country.

**B**y the end of the Civil War, most of the Irish Catholics, who no longer planned to return to Ireland, the land of oppression and famine, had endeavored to become American. That all of them had become American in culture and traditions by

the 1870's can hardly be maintained, particularly among those who had settled in compact colonies or exclusive districts in the towns. But those Irish who did achieve some higher education, especially the clergy, quickly associated themselves with the Anglo-American Catholic cultural leadership in the work of leading their flocks in post-Civil War America.

Perhaps there is no more significant indication of this desire of the Catholics of English and Irish descent to be considered culturally American than the appointment of Archbishops Martin John Spalding of the Kentucky English group and his successor James Roosevelt Bayley, an American convert, to the primatial see of Baltimore. In the Second Plenary Council of Baltimore in 1866 under Archbishop Spalding, this desire to adapt Catholicism to the American scene is very much in evidence in the decrees and especially in the Pastoral Letter issued after the Council.

But the task of these American and Americanized Irish was not easy, because in their flocks were not only millions of Irish descent who had attained only the beginnings of an American culture and who had no great love for anything English, but already there were also millions of Catholics whose German, Polish and other continental backgrounds were firmly not English. And in some cases not only were these non-English strengthened by clergymen from their former fatherlands, but they were educated only in the languages

and cultural traditions of those lands.

To complicate the problem further, Rome, concerned with the lack of traditionally Catholic rules in the growing American Catholic group had called the American Bishops to Rome in 1883 and directed the Third Plenary Council of Baltimore of the next year in the perfection of the canonical organization and the hierarchical order of the Church in the United States. While not granting to the chief see of Baltimore any primacy in the sense of the national churches of continental Europe, Rome continued to speak to American Catholics through the Archbishop of Baltimore—for most of the last part of the century he was Cardinal Gibbons—and did insist on the formal establishment of provinces, of dioceses and of parishes in the dioceses. The order of appeal from laymen to archbishops in conflict or dispute was set, the nomination of priests for bishoprics, although not their appointment, was arranged and the necessary legislation for the proper growth and improvement of the church organization was established in this Council.

However orderly and necessary was this body of legislation it had little direct connection with the pressing problems of the Catholic faithful. Before this reorganization could function properly, the Catholic minority in the United States was to undergo another period of strife because this canonical organization supposed a more homogeneous religious body than actually existed. For millions of American Catholics

the reconciliation of American culture and Catholicism was just begun.

**W**HETHER the American bishops of Irish birth and extraction so prominent in the hierarchy in the 1880's had become really American was open to question, because certainly they were not by ancestry part of the Anglo-American dominant majority of the country. That many of them had actually become American in social and cultural tradition, along with those members of the Catholic clergy who were of English origin such as Bishop John Lancaster Spalding, is quite clear. Against them, in holding aloof from American social and cultural traditions, were the large compact groups of other nationalities whose Catholicism had been formed amid languages and customs of other cultural traditions. These felt that the dominant American culture was not Catholic and that these Americanizing Catholic clergymen and laymen were giving up essential Catholic doctrines in accepting American culture.

There had been some manifestations of this feeling in the first decades of the nineteenth century when the French and native clergy tried to block the rise of the immigrant Irish to control over the American Catholic organization. The first stage of this newer conflict consisted in the demands from the Germans for foreign-language bishops in the hierarchy and for their own parish organizations to protect the faith of the non-English Catholics in the

United States. These demands were rejected by Rome in 1887 at the request of Cardinal Gibbons and the other English and Irish American Catholic bishops.

THE next stage in the discussion included the attempts of these Germans and others of conservative social and political notions to charge the Americanizing bishops with heresy, chiefly of the forbidden religious liberalism of the early nineteenth century. Here again the non-English and non-American group failed to receive approval from Rome. But in the confusion this Americanist controversy spread to France and Italy and became entangled with the European struggles between political conservatism and liberalism. The Pope, then Leo XIII, in his letter *Testem Benevolentiae* of 1899, while exempting American political and civil customs from his condemnation, sheared away from orthodox American Catholicism any tendency to accommodate Catholic doctrine or principle to the religiously liberal and predominantly Protestant United States.

Neither side in this struggle had won a complete victory and the resultant confusion about what was proper and what improper among Catholic leaders who were trying to develop a strong Catholic cultural tradition in the United States was deepened in 1907 by the condemnation of theological modernism. This condemnation in the hands of the zealots seemed to check also those

American Catholics who were trying to adapt the Catholic doctrines to modern science and criticism.

Catholicism in the United States since that time can be considered contemporary and can be considered to have entered a fourth stage as a Catholic minority. During the first two decades of the century there was a clear lack of leadership and a general confusion among American Catholic writers. Only after the outbreak of World War I, under papal encouragement, was there formed first the Catholic War Council and then the Catholic Welfare Council to meet the critical conditions brought on by the first World War. Archbishop John Ireland had repeatedly insisted that the real Americanists had not been touched by the *Testem Benevolentiae* but that document's condemnation of any theological compromise and the further condemnation by Pope Pius X of theological modernism in the following decade had created an intellectual vacuum instead of what had begun to be an American Catholic intellectual leadership in the late decades of the nineteenth century.

It is dangerous for a historian to try to talk about contemporary affairs, but, since the historical developments which I have been describing have their terminus in the Catholic Church in the United States since World War II, I would like to point out that, for the first time since the Americanist controversy, the American Catholics are now trying again to decide what shall be the proper place of American Catho-

lies in the composite sometimes called American Civilization. The first thing that this Catholic minority must do is to recognize that it is a minority in a good sense, that it is a cultural as well as a religious minority but one without any political aspirations as a group. Secondly, Catholic persons in authority, both lay and cleric, must begin the evaluation of the present position of Catholics in the United States.

I think the first fact to be understood in that evaluation, one that was recognized by European travelers as early as the 1890's, is that American Catholicism is active, practical, and full of external zeal, like most American efforts. The number of churches, buildings and the superhuman attempt to maintain a separate school system are clear evidences of this quality of American Catholicism. Secondly, I think it is clear that American Catholicism is very appreciative of American liberty under which Catholics can practice their religion and under which they can also hope to be first-class American citizens with full economic and social independence. That some Catholics have also, in some communities, accepted some less desirable local traditions is not surprising since the struggle to control the mind of America is vehement.

Social leadership in the cultural world of Anglo-America is some-

thing that does not arise quickly without generations of preparation and without certain financial aids. Many Catholics lack both. Understandably, because of the recent Americanization of so many American Catholics, the Catholic attainments in the field of cultural leadership, in scientific discoveries, and in political and social reforms have not been very great in proportion to the number of Catholics. Catholics, of course, have generally been loyal to their faith and they must retain and defend what they have attained in solidity of virtue and religious practice while aspiring in the ordinary sequence of events to new cultural levels. The cultural achievement of Catholics in the next generation will be in proportion, chiefly, to the present-day efforts and that means the sacrifice of some present comforts for higher things because the financial means of the Catholic minority are not proportionate to their needs. It also requires of American Catholics greater devotion to traditional Catholic ideals in learning and culture while seeking at least equality in those things of mind and body which American democracy has made possible. American Catholicism must work out the reconciliation of Catholicism and the American tradition, bringing to American democracy at the same time the fullness of life, the theological and sacramental faith and grace of Catholic Christianity.

Our goal is to seek the transformation of public opinion toward the Church and, in so doing, to share in the ultimate liquidation of the accumulated animosity of four centuries.

## American Catholicism Today\*

MSGR. JOHN TRACY ELLIS

*Professor of Church History  
The Catholic University of America*

WITHIN the last few decades American Catholics have so frequently been told that both their Church and their country have entered the age of maturity that they are no longer disposed to question it. On last December 18 when Pope John XXIII presided at the ceremony that proclaimed Elizabeth Seton, the native-born convert from Protestant Episcopalianism, a "venerable servant of God," who had practiced virtue to an heroic degree, the pontiff, too, alluded to our changed

status in speaking of this nation as having "passed its time of development," and having approached what he termed "full maturity in national and international service." About the fact, then, there is no serious dispute; but as to its implications, there is less accord.

What is the present position of the American Catholic community from the viewpoint of an historical perspective? The words "historical perspective" open such immense vistas and embrace so vast an area

\*Reprinted with the permission of the *American Benedictine Review*, St. John's Abbey, Collegeville, Minn., Summer, 1960.

of subject matter, that if I am to do justice to my assignment, I shall have to restrict myself severely to tracing a few general features of the past that have helped to make us American Catholics what we are today, and then dwell in more detail on one or two matters which, in my judgment, have particular relevance for the present hour.

AS Americans we are accustomed, and rightly so, to think of our country as having launched something new in the world of government and political institutions at the end of the eighteenth century. But as Catholics we may not, perhaps, be as aware as we should be that the Church likewise inaugurated something altogether new to its own experience when at the same time it erected here the first diocese in 1789 and chose a native-born American to govern it as the first bishop. Never before in its nearly 1800 years of history had the Church of Rome been confronted with the task of establishing itself in a democratic republic over 3,000 miles away, the overwhelming majority of whose nearly four million inhabitants were committed to the Protestant faith, and whose government was based on a constitution and bill of rights that, while providing for a separation of Church and State, at the same time gave complete freedom of worship and liberty of action to the roughly 30,000 adherents of Rome's ancient Catholic faith.

And if the political and social

structure of the new republic of the West was curious and strange to the Holy See, so, too, was the intellectual milieu in which the tiny Catholic minority began their corporate existence. It must be kept in mind that they were then only emerging for the first time as freemen from the fetters of the penal legislation that had held them outlaws through most of America's colonial past. They were in need of guidance, and yet they could find no precedents by which to chart their course among their coreligionists abroad. For at the very time that the lines of Catholic development in this country were beginning to form, the Catholics of Ireland, France, and the German world, and, in fact, of most of western Europe, were experiencing—along with their countrymen of other faiths—the strong currents of the romantic movement.

We are all conscious of the varied connotations that have attached to the word "romanticism," but I am not here concerned with its conflicting meanings. I merely wish to suggest that in the age when Burke gave forceful expression to the best in the aristocratic way of life and the lyrics of Thomas Moore sang of the glories of the Irish race, when Chateaubriand awakened in French hearts a vision of their past, when Friedrich and August von Schlegel laid the foundation for a new school of thought among the Germans, when the novels of Scott made the Middle Ages come alive again for the English-speaking public; when in other words, Europe's

intellectual climate was conducive to a nostalgia for the departed ways of a Catholic society, or of a social order informed by Catholic principles, there was no parallel movement on this side of the Atlantic.

That is not to say that there were then no literary traditions, no artistic taste, no cultivated elite in the United States to foster the movements of the mind. But though the Catholics of that time had, indeed, a highly cultivated leader in the French-born Jean Cheverus, Boston's first bishop, neither in Boston nor in Baltimore did Catholics—save for an exceptional Cheverus or Carroll—have admittance to the circles where, both in politics and in letters, the American mind was being shaped.

Yet if there was no "romantic age" for Catholicism in this country, there was an heroic one in the struggle and ordeal of bishops, priests, and laymen who, striving amid an unfriendly environment to achieve the well nigh impossible goal of providing a Catholic setting for the millions of immigrants who landed on these shores, knew substantial success.

But this "heroic age" for Catholicism in the United States is now, too, a matter of history, and we stand on the threshold of another act in the ceaselessly unfolding drama of the Church's life in this land. The period that is now closed, call it "heroic," or term it the age of the immigrant, as you will, took its heaviest toll in physical energy, sacrificial generosity, and raw cour-

age. We are not beyond the time—nor, please God, shall we ever be—when to some degree, energy, sacrifice, and courage shall be expected of us. But no Catholic of 1960 who has acquaintance with the history of the American Church will gainsay the fact that the demands made upon us in physical energy, financial sacrifice, and bold courage can in any way match those of our forebears in the faith. Primarily, these are not the qualities that are demanded of us in this new time; and it is rather with the sacrifices of our spiritual and intellectual faculties now called for if the Church of our generation is to fulfill its sacred mission, that we wish to concern ourselves in what follows.

Today's world and today's America have a right to expect from the third most numerous body of Catholics in the universal Church, who are at the same time incomparably the richest and most heavily endowed, a positive contribution to a remedy for the ills that beset them in the atomic age. And lest it be thought that I lack appreciation for what the Catholics of this country have done in a material way to lessen the world's grief and misery, let it be recorded here that the total value of over \$800,000,000 in food, clothing, medicines, and other supplies that have been sent since 1943 throughout the world by the Catholic Relief Services, the agency of the American hierarchy, stands unparalleled in the history of man's charity to man.

But it is another realm that I



have in mind, less tangible, indeed, but, nonetheless, real. I can illustrate what I mean, perhaps, by an incident related to me by a young American priest recently returned from a period of training at the Catholic University of Louvain. He stated that when he called to bid good-by to the rector of the university, the latter was at pains to express the gratitude that the Catholics of the world feel for what we have done for them since World War II, and to say how much they look to us for leadership, and then he added, "You have not disappointed us, save in one respect, in the realm of thought."

If then, we are to make the contribution that is expected of us, it means that we must adjust ourselves to the changed circumstances and alter the kind of thinking that carried us through a less complicated and dangerous time. It is now asked of us that we learn to look beyond the narrow interests of our Catholic body to the interests of those around us, to show a greater sensitivity to relations with our separated brethren of other religious faiths; in a word, what is demanded is a broader understanding of the society of which we form a part, and of the world in which we live. And let it be said that one of the first requirements for a realistic and constructive approach to the innumerable contemporary problems that press more and more insistently for solution, is to have at the outset the humility to confess that often we have no ready-made answers, but

that we do possess the will to exert whatever intellectual talent and energy we may have in searching out the answers, in company with our fellow citizens, wherever they may lie.

**F**OR the changed role that we are now asked to play, the historical formation we have known in this land of freedom has furnished Catholics with more resources than many of us may realize. Aside from the knowledge and training in a supernatural faith which gives its own unique advantages, we have gleaned from the America in which we have grown up a number of aids that can help to fit us for the tasks ahead.

First, as to our political experiences in this country. Needless to say, none of us is unaware that on four or five occasions in the nation's history Catholics have known periods of insult and discrimination at the hands of fellow citizens under one or other of the banners of American nativism. But these have been temporary phenomena, and what is of far greater significance is the fact that we have been spared entirely the type of prolonged exclusion and humiliation endured by Catholics in other lands, in that never has there taken root in this republic an anti-Catholic political party of major proportions and lasting power which was either Protestant, liberal, radical, or revolutionary. Once the colonial penal legislation had been repealed in the original States, the Church had opened before it a free



and untrammelled path through the nineteenth century for its schools, its press, and the other manifold expressions of Catholic life that found here a friendly soil in which to grow.

Thus the Catholic, like the Jew, has been able to associate himself with the total American experience in a way that would have been unthinkable for many of his European and Latin American brothers. Washington, Lincoln, and Theodore Roosevelt, for example, are his heroes in a way that Bismarck, Cavour, and Clemenceau could never be for the Catholic of Germany, Italy, or France.

**M**OREOVER, this freedom—both to think and to act—opened wide to Catholics the doors of political parties, trade unions, fraternal orders, sporting groups, and social and service clubs wherein they mixed with fellow citizens of all religious faiths and of none, in a way that again would have been impossible to many Catholics elsewhere through a great part of the nineteenth century. And by reason of the basically sound philosophy that motivated these various national organizations, and the freedom the Catholic had to associate himself with them, there has never arisen here, as has so often been true abroad, the occasion or the necessity for Catholic political parties or Catholic trade unions. In the spring of 1901, John Ireland was asked by the Bishop of Trenton for his reaction to the latter's pro-

posal for a federation of the Catholic societies of the United States. In his reply to Bishop McFaul, the Archbishop of St. Paul voiced the sentiments of the vast majority of American Catholics then—and now—when he said:

Whatever may be said of a union of Catholic Societies for purely religious, moral and social purposes, a Federation of such Societies for anything bordering in the most remote manner on politics, is to be deprecated. . . . We must admit that there is, alas, among too many of our fellow citizens a hidden dread and hatred of the Catholic Church. . . . A pretext only is needed to bring at any moment into a concrete form this dread and hatred. . . . A federation with a tinge of politics would give the pretext. Fourteen years before, at the time of the crisis over Catholic membership in the Knights of Labor, the suggestion was made by certain officials of the Roman Curia that the American Catholic workmen be organized into separate labor groups. Cardinal Gibbons was quick to answer that he did not believe such to be "either possible or necessary" in the United States. Expressing his admiration for efforts of that sort made in lands where the workers had been victimized by the enemies of religion, he added:

. . . but thanks be to God, that is not our condition. We find that in our country the presence and explicit influence of the clergy would not be advisable where our citizens, without distinction of religious belief, come together in regard to their industrial interests alone. The Cardinal frankly confessed the danger in Catholics associating with laborers who might be atheists, Com-

munists, and anarchists. But, said Gibbons, "It is one of the trials of faith which our brave American Catholics are accustomed to meet almost daily, and which they know how to disregard with good sense and firmness."

Thanks, therefore, to the favorable circumstances in which they were placed, and to the enlightened leadership which they received at the outset from prelates such as Archbishop Carroll and later from men like the Cardinal of Baltimore and the Archbishop of St. Paul, by the early years of this century Catholics were not only actively participating in the life of the country's political and industrial institutions, but they had made their presence felt, as a labor historian of the Jewish faith has recently reminded us when he wrote: "The weakness of socialism in the American Federation of Labor at the close of World War I was, in part, a testimonial to the success of the Catholic Church's opposition to this doctrine."

UNFORTUNATELY, at times Catholic influence in the realm of politics was not on a similarly healthy plane. In still other segments of national affairs, up to this time they had either been denied entry or were not yet ready to play their full role. Meanwhile the Church went quietly on its way engrossed in the gigantic task of making good Americans out of the more than nine million immigrants who entered its fold before 1920, a task that strained ev-

ery nerve and resource at its command. But in the end its mission was accomplished so well that an outside observer like Henry Steele Commager remarked that it might, indeed, be maintained that during these years the Catholic Church had been "one of the most effective of all agencies for democracy and Americanization."

In spite of the fact, however, that Catholics' participation in political and industrial activities had in the main stood them in good stead, like Americans in general, their past had not adequately prepared them for the confrontation with the complex problems of World War I, and even less so with those that arose during and after World War II.

Why, may we ask? First, the all-absorbing interests of the Church throughout the previous century and down to the 1920's had been largely internal. Catholics' energies had been concentrated on the frantic race to keep abreast of the immigrant flood; to cite only one instance, to establish a school system such as no other Catholic national community had ever attempted. Thus, Catholic leaders, both clerical and lay, manifested relatively little concern for the broad moral and ethical issues that were then beginning to engage the attention of older American groups. In a certain sense, Catholics were, to use Riesman's word, inner-directed, and such their orientation remained until the exigencies of national involvement in the world crisis forced them to look beyond their own horizons.

Secondly, despite the periodic exposé of defects and scandals here and there, the moral and social order seemed substantially sound and stable, and to no appreciable extent did Americans question the principles and postulates on which the nation's churches were sustained, even if many well-known public figures failed to live by them. But such a thing as an atheistic, radical, or socialist movement was practically non-existent, and in the reckoning of most Americans up to forty years ago even the threat of it seemed comfortably remote.

A third factor had to do with something that has often been described as peculiarly American. On the eve of an age that was to witness the greatest proliferation of organizational genius that this nation has yet known, Catholics had as yet done nothing to match it. True, the American Federation of Catholic Societies came into being in 1901, but its lack of cohesion and of a unified command made it a relatively ineffective instrument for action on a national scale, and the annual meetings of the metropolitan archbishops that had been taking place since 1890 were but a feeble reflection of ecclesiastical organization as we know it today in the National Catholic Welfare Conference.

Fourthly, the Catholic colleges from which one might naturally expect a trained leadership of superior quality to come, were rising like Topsy all over the land with no planning on even a diocesan scale,

to say nothing of heed to national needs, and, it might be added, with little evidence that there was any true comprehension of what the growing commitment to higher education in itself implied.

Finally, up to World War II one could not speak of a middle class in terms of significant numbers and strength among Catholic professional men, business executives, technicians, journalists, and educators. As a consequence, the nineteenth century and the first decades of the present century produced an essentially mute laity that made little real contribution on their own, beyond their marvelously generous response in material support to Catholic causes proposed to them by the clergy.

But how different is the picture of American Catholicism today to what it was when the century was young! Now an immense and growing Catholic community of near to 45 million Americans no longer answers to what, in the strict sense, is meant by a minority. At every turn one encounters the Church's numerous and impressive institutions, which all Americans know are maintained by the free-will offerings of a laity that, allowing for admitted losses, has in the aggregate continued loyal to the faith of their fathers. In recent years the Catholic middle class has shown an almost startling increase, and today that paragon of American success, the millionaire, is no longer a curiosity in their ranks.

The change is mirrored in a hun-

dred different ways that could be illustrated from both within and without Catholic ranks. When, for example, in the 1890's there was a question of placing a statue of Jacques Marquette in Statuary Hall of the national capitol, the possessiveness of the Protestant America of those days saw nothing particularly amusing in the following rhyme that appeared in a newspaper of the Middle West: "O, Nation first rocked on the bosom of God! / O, Nation whose father the martyr-path trod! / Preserve the good Book which the Protestants learn, / The foundation of wisdom, which priests love to burn. / We always confess that we owe it a debt, / And room for a Luther, but not for Marquette."

THE spirit that inspired that kind of possessive sense disappeared almost a generation ago. It is only about six months since the presidential address of Robert T. Handy of Union Theological Seminary, delivered before the American Society of Church History in Chicago, stated that Protestantism had entered the depression of the late 1920's "as the dominant American religious tradition, closely identified with the culture." But as Professor Handy went on to say, "Protestantism emerged from depression no longer in such a position."

And one of the most significant and gratifying signs of change to the Catholic American is the altered image of his Church in the

minds of Americans of other faiths. The immigrant cast of the Catholic community was likewise shed a generation ago, and with it faded out the perennial cry of "foreignism" which from the birth of the nation was, perhaps, the most meaningful, as it was the most distasteful, charge that Catholics had to bear. But so far, indeed, has this religious community now come that a historian of Congregational background writing in the *Yale Review* of last summer, could say: "Catholicism has at last become a part of American culture."

These things being true, it follows that the Catholic Church now commands a more respectful hearing in this country than it ever did before. But by the same token, it means that this increased respect and prestige carry a corresponding responsibility on the part of Catholic spokesmen. When, for example, leaders of Catholic thought have a message to impart that touches a vital and sacred matter in Catholic dogma or morals, it should be couched in terms that make it clear he appreciates the mixed character of our society and that his directives are addressed to his own co-religionists. In this way basic questions of Catholic belief, such as birth control and censorship of films, will be safeguarded for the Church's faithful, and at the same time their full and candid enunciation will furnish no basis for justifiable irritation on the part of residents of the community who do not share the beliefs of their Catholic neighbors.

As several of the writers of the essays in *American Catholics: A Protestant-Jewish View*, the thoughtful volume edited some months ago by Philip Scharper of Sheed and Ward, were at pains to state, no reasonable American will ask that Catholics be silent on the things that pertain to the *depositum fidei*. The only obligation in that regard that we incur by reason of the pluralistic society of which we form a part, is to state clearly that in matters of this kind we speak to our own, and to others who do not share our Catholic faith but only to the extent to which these are willing to listen but not to be dictated to.

**F**AR, indeed, from wishing to silence Catholic spokesmen, a growing number of Americans wish very much to know what we have to say about such burning questions as nuclear warfare, the expanding world population, racial relations, the rights of Protestants in so-called Catholic countries, and unethical practices in government, labor unions, and the communication industries. These and a host of other issues now engage the attention of our fellow citizens *vis-à-vis* the Church in a way that was never previously true.

That fact represents both a recognition and a challenge. In the nineteenth century, Catholicism was respected by many leading Americans largely because it kept the Catholic masses in order. Now,

however, the Church is seen as something more than the policeman of an immigrant flock. In a word, since Catholics are today accepted as part of the national scene, it is anticipated that they will show evidence of mature knowledge and objective judgment on the problems of contemporary society such as were reflected in the resolutions adopted at the close of the fifty-seventh annual convention of the National Catholic Educational Association on 22 April 1960. Among those resolutions, the following would indicate the kind of awareness I have in mind. Catholic schools were urged to continue their efforts "to find increasingly effective ways of developing within their students a deep sense of social responsibility, and particularly of their responsibilities as Catholics within a pluralistic society."

And this brings me to the "dialogue," an inevitable word which one cannot, I suppose, long escape today if he essays to speak of human relations in any form. While it is true that during the nineteenth century American Catholics were in a sense less separated from those outside the Church than were their European coreligionists, the basis for the political, economic, and social relationships with their separated brethren seemed to rest in good measure on a tacit agreement not to discuss religion. As a consequence, there developed among Catholics in this country a tradition which left no room for seeing  
(Continued on p. 146)

## The Political Sense

FOR years the press, religious and secular, ran articles about the Catholic-for-President issue. Learned lectures were given on the subject, television panel shows built around it, furious sermons preached against the possibility, manifestoes signed, and earnest statements drawn up. Now, we have a President who is a Catholic—and suddenly the articles and books, lectures and sermons, panel discussions, manifestoes, and statements seem terribly remote and irrelevant.

I ask myself why, and the answer is that the entire controversy was unreal from the beginning. It dealt not with the human realities of a given candidate but with abstract propositions, theses, doctrinal pronouncements of one kind or another, and syllogistic conclusions. What all of them lacked was a political sense—a sense of the concretely possible as against the abstractly probable.

The problems about a Catholic President we discussed so long were always probable, within the abstract framework of the argument; but, given the person who is about to enter the White House, the political system of which he is a part, the traditions of the nation and temper of the people, they were never truly possible. Before one could even conceive of their being possible, all the realities of the case had to be obliterated. Instead of John F. Kennedy, a Democrat from Massachusetts, one had to deal with an Everyman called Catholicus; instead of the familiar faces in Congress, from Sam Rayburn's ancient frown to the nervous smile of the youngest Representative, one had to deal with a faceless creature called Legislator; instead of the American people as we know ourselves to be, one had to deal with a Populus without history, tradition, prejudice or passion. The mixed lot of prelates whose quirks and character are familiar to us had to become a corporation called The Hierarchy, and the benign peasant priest in the Vatican had to become a nondescript Sovereign Pontiff.

With changes of this kind, there were all sorts of frightening possibilities just a few months ago. Now, faced with the actual situation of a Catholic in the White House, the recent arguments seem like a kind of game having nothing to do with the real world.

We no longer ask ourselves, what would a Catholic do in such and such a situation? We ask, what will Kennedy do and will he manage to bring it off? We no longer think about the abstract reactions of an abstract Congress but about the concrete reactions of Senator Goldwater and Representative Lindsay, Senator Paul Douglas and Rep-

representative Adam Clayton Powell. We no longer talk about the Hierarchy but speculate about Cardinal Spellman, Bishop Wright, and our local Ordinary whose peculiar ways may be well known to us. Even John XXIII is very unremote. Some things that could be expected from Leo XIII or Pius XI we can not imagine the present Pontiff doing.

There are things John F. Kennedy would find it impossible to do simply because he is the kind of person he is. There are things that a Lyndon Johnson, or a Barry Goldwater could not do without undergoing a complete transformation of character. There are things that a Cardinal Spellman could not do without becoming quite another person, and other things that would be impossible to a Bishop Wright. Most of all, there are the American people themselves. As a people, we are what we are and nothing short of a miracle could make us behave other than the way we do.

I bring up all this not to harp on the Catholic-for-President issue. I recognize that long before election day that whole subject became a vast bore. My point, rather, is that abstractions and propositions and theses are a very poor guide for one who is concerned with political probabilities. What matters in politics are people and their loyalties to the persons, institutions, traditions and cultural patterns they believe in.

Of course, we cannot deal with the larger political questions without abstractions. But, unless they are to be forever assigned to an academic limbo, even these larger political questions must be related to lower-case actualities rather than to upper-case categories.

Take, for instance, the Puerto Rican affair. One Catholic spokesman from the island was quoted as saying he did not realize the Bishops' action would have any effect on the mainland since it was purely a Puerto Rican matter. What kind of political sense did the man have that he thought there would be no reverberations in the United States, with a Catholic running for President? As little, as the Bishops themselves if they truly believed their pastoral letters would have anything but a pro-Munoz effect on the election.

Politics, the art of the possible. That sturdy old definition is the heart of the matter. If it had been taken seriously, the discussions about a Catholic President would have taken a different turn and now would not seem as out-of-this-world as the *Filioque* controversy.—JOHN COGLEY in the *COMMONWEAL*, January 13, 1961.



ourselves through the eyes of others, for the technique of self-criticism, and for trying to learn something about the religious beliefs and practices of others. It was a frame of mind that represented a curious blend of Catholic superiority, arising out of the belief that our religion was the only true one, and an inferiority bred in the social and cultural exclusion which for so long a time had marked the Catholic community in this land.

But here, precisely, is where Catholics of the 1960's must guard against what, in another context, Barbara Ward has called "the temptation of the easy option." Rather it is our present duty to face up to the far more difficult and exacting task of self-scrutiny, of analyzing and criticizing ourselves among ourselves, so that through the medium of the dialogue between ourselves we may be the better equipped to engage with mutual profit in the dialogue with those of other faiths. There must then follow frank and open willingness to hear the other side of things and to accept the good faith of others. And this will, to be sure, be difficult, for unlike the nineteenth century when American Protestants concerned themselves with the historical papacy and the acts of Pius IX, but were not at serious issue with Catholics on many moral issues, today we are asked to answer for everything and anything that Catholic churchmen or statesmen do all over the world. In that sense the problem is actually more difficult than it ever was.

Moreover, there is another fact that Catholics should insist upon among themselves; and it is that the time has passed when an assumed uniformity within our ranks on contemporary affairs, unrelated to dogmatic and moral issues, dominates our thinking, a time, in other words, when we were led to present a united front out of reaction to a hostile society around us. The historical causes that called that attitude into being are no longer with us, and it has in the meantime itself become a part of our history.

I should like to single out one of the numerous and complicated problems that at the present time pre-occupy Americans of all religious persuasions, and of none, namely, the relations of Church and State, or more particularly, the question of religious freedom within a pluralistic society.

WHAT part, if any, should Catholics take in the public debate on the fitness of one of their number to occupy the highest office in the land? The answer to that question, of course, must be made by each individual in accordance with his conscience and with the knowledge he has of his own ability, or lack of it, to make a contribution that is worth being heard. For, regardless of what some may think, insofar as his religious faith is concerned, the Catholic is in this like every other American. The Church does, indeed, urge its members to perform their civic obligations and it re-



minds them of their duty to vote; but their personal participation in political campaigns, and the choice of candidates for whom they shall cast their vote, are entirely their own affair. In this respect matters have not changed since the first Sunday of November, 1912, when Cardinal Gibbons mounted the pulpit of his cathedral to exhort his flock to go to the polls on the following Tuesday in performance of the conscientious duty they owed their country; but on the question of the choice that they were to make between Taft, Roosevelt, and Wilson, he said:

Whatever may be my private and personal preference and predilection, it is not for me in this sacred pulpit or anywhere else publicly to dictate or even suggest to you the candidate of my choice.

It was the statement of a tradition that had taken its rise over a century before with Archbishop Carroll, a policy that with a few exceptions that but prove the rule, the American hierarchy and their clergy have honored ever since.

It is not the alleged dictation that Catholics suffer from their hierarchy, however, that gives the really serious trouble to thoughtful Americans of other faiths. It is rather their knowledge of what has been termed the "traditional" teaching of theologians concerning the superior rights enjoyed by those who possess the Catholic faith over those who are outside the fold and, therefore, in religious error. And what strengthens their anxiety more than

anything else, perhaps, is the history of religious minorities in some so-called Catholic countries where the rights of public worship and religious freedom have often been denied. I am convinced that if a clear and cogent answer to that problem were forthcoming from an authoritative source it would serve to remove from the arena of public debate more quickly than any other remedy I know, discussion of the so-called "Catholic question" that has bedeviled the present Presidential campaign.

I mentioned above Archbishop Carroll's inauguration of the policy of non-interference on the part of the American Catholic clergy in political affairs. I sometimes wonder if we Catholics realize what a tremendous debt we owe to that blessed man for having fixed so many wholesome traditions in the American Church. Six years before he became a bishop, while he was as yet only the superior of the scattered missions of an obscure little flock, Carroll was confronted in 1784 by a serious attack on Catholic doctrine by an apostate priest. In the lengthy reply which he prepared that summer he spoke of how distasteful the controversy was to him, and he stated that he would never have answered had he not felt that the faith of the Catholic people needed vindication against Wharton's charges. Carroll then added a statement which every student in the Catholic schools of the United States might well be urged to make his own. He said:

But even this prospect should not have induced me to engage in the controversy, if I could fear that it would disturb the harmony now subsisting amongst all Christians in this country, so blessed with civil and religious liberty; which, if we have the wisdom and temper to preserve, America may come to exhibit a proof to the world, that general and equal toleration, by giving a free circulation to fair argument, is the most effectual method to bring all denominations of Christians to a unity of faith.

The founder of the American hierarchy thus made evident his understanding and acceptance of the premises upon which the new republic was based, nor did he have any hesitancy in publicly proclaiming them. And in the 176 years since he wrote those lines there has never been anyone who has overcast the honored name of Carroll by a suggestion of heresy or unsound doctrine. So well, indeed, did the first Archbishop of Baltimore fix the tradition on this point that, as I had reason to learn some years ago when I made a special study of the question, every statement of a like nature that has since emanated from an American bishop has held fast to the policy of Carroll.

If this be true, then where, one may ask, is the justification for the misgivings of those outside the Catholic fold? Their anxiety arises from an acquaintance with the so-called traditional teaching that holds that error has no rights, that if Catholics came into a majority in the United States it would be expected that the rights of others to

practice publicly their religious beliefs, would be curtailed. If to many American Catholics that doctrine sounds strange and, perhaps, harsh, it may be due to a defect or omission in their training, for many Catholic theologians have long taught the doctrine, often summarized in the phrase "thesis and hypothesis." Moreover, the history of certain countries of Europe and Latin America is replete with instances where that principle was invoked to the detriment of the personal rights of religious minorities. To say this is to indulge in no disparagement of our coreligionists of other lands; it is simply to recognize historical facts.

**B**UT what most outsiders do not know, and, I am afraid, too few Catholics as well, is that there is, and has been, another school of thought in Catholic theology that has espoused a belief in universal religious freedom, without in any way succumbing to the principles of philosophical relativism or opportunism. It finds its theological basis in the necessary freedom that there must be for the act of faith, in other words, in the sanctity of the individual conscience. For in Catholic teaching there is nothing that supersedes a man's conscience in the acceptance or non-acceptance of the truths of faith, nor is he ever compelled to recognize an allegiance higher than his conscience.

At a bitter moment in the Nazis' war of annihilation of the Church

in Germany, Clemens von Galen, the Great Bishop of Münster, reminded his flock of that fact when he recalled the command of King Frederick the Great of Prussia to Ernest von Münchhausen, his Minister of Justice, to alter a lawful sentence, to which the minister replied: "My head indeed is at the disposal of your Majesty, but not my conscience." And we owe one of the most glorious chapters in Catholic history to the story of the heads of SS. Thomas More, John Fisher, and countless other saints and martyrs that have answered for a similar fidelity to conscience.

ONE of the most thoughtful and measured statements on the subject of religious tolerance and freedom in the tradition of the Church appeared over a year ago in Europe, and at the opening of the present year became available in English translation in our own country (CATHOLIC MIND, January-February, 1960, pp. 12-24). In calling attention to this stimulating article by Giacomo Cardinal Lercaro, Archbishop of Bologna, the editors of *America* spoke of it as an indication that "a clarification of ideas on civil liberties is well under way in Europe." I wonder if it might not be truer to say that this clarification has been in progress for nearly half a century, since the late Father Arthur Vermeersch, S.J., published his notable work entitled *La Tolérance* at Louvain in 1912. In any case, in the intervening time the

literature emanating from Catholic sources on this topic has grown to the point where a writer for the World Council of Churches was able to compile a fairly large brochure, and that largely of quotations, from authentic Catholic sources carrying the ecclesiastical *imprimatur*, which showed the extent to which this type of thinking had reached within the Church.

One of the most notable instances of this interpretation was that of the late Pope Pius XII who less than seven years ago treated the question in a discourse to the Union of Italian Catholic Jurists. In this memorable pronouncement the pontiff described the complex character of the international community as it now exists, composed of nations of the most widely varying religious beliefs, and he then raised the question as to whether in these circumstances God could choose toleration without contradicting His infinite perfection. By way of a reply to his own question Pius XII stated:

Could it be that in certain circumstances He would not give men any mandate, would not impose any duty, and would not even communicate the right to impede or to repress what is erroneous and false? A look at things as they are gives an affirmative answer. He then went on to say that the belief that toleration is in itself immoral and, therefore, religious and moral error must always be impeded, is not valid in an absolute and unconditional sense. Such repression, said Pius XII, cannot be the ultimate norm of conduct since it

must remain subordinate to what he termed "higher and more general norms," which in some circumstances permit, and may even dictate, toleration of error as the better policy in order to promote a greater good.

No well informed Catholic will, of course, be so foolish as to think that the increasing number of writers who have followed in the wake of Vermeersch have pre-empted the field for themselves, and that the disciples of the opposing school have now been entirely vanquished. On the contrary, the issue is very much alive, and real differences still divide the theologians. But as Hubert Jedin, the historian of the Council of Trent, has said in explanation of the oftentimes furious controversies that marked the ecumenical councils of the Church, "Truth is reached by any community by means of an exchange of opinions, by arguments for and against, that is, by means of intellectual struggle."

There should be no surprise or scandal, therefore, in finding differences among theologians on the subject of religious freedom. But neither should it be thought that the position of the so-called traditional school is the only acceptable one in Catholic circles; in other words, that American Catholics — should the quite unlikely eventuality occur where they would find themselves a clear and powerful majority in this country — would then be compelled by their theological commitment to bring about union of Church and State or pro-

ceed to curtail or suppress the religious freedom of those outside the Church. To contend in this fashion is to call in question the orthodoxy of a number of reputable Catholic writers, and to question the soundness of doctrine of distinguished living prelates like Cardinal Lercaro of Bologna, Cardinal Cushing of Boston, and François Charrière, Bishop of Lausanne, Fribourg, and Geneva.

**WHAT** would be a much more likely sequel to so unlikely a turn in American affairs, would be the complete and unqualified acceptance of a course like that outlined by the late Yves de la Brière, S.J., in an essay written in commemoration of the golden jubilee of Father Vermeersch. The essence of Father de la Brière's position was contained in two paragraphs which, I think, are worth quoting in full. He said:

In the medieval world and in ancient Europe, the consideration of the common good has often militated against the legal liberty of dissident sects. In the contemporary world, on the contrary, the consideration of the common temporal good militates in its behalf. In spite of the objective non-existence of a right of error, and even of the right of an erroneous conscience to the public profession of error, the psychological and moral condition of society demands, in the name of public tranquillity and the public interest, that the legal freedom of all cults be recognized everywhere as a universal rule of civilization, with the sole reservations of public morale and public order. This is, for all

peoples, the subject of a universal duty and a universal contract of probity.

Such is the concept of which we are able to avail ourselves in all frankness and honesty, without disowning in any way the condemnations of the Popes against liberalism, either without being embarrassed by these condemnations or without employing deceit by resorting to overly clever ruses in regard to them.

Permit me to make but one more point in conclusion. If the present hour offers here and there, as it does, disheartening evidence of strained relations between Catholic Americans and their neighbors of other religious faiths, it also finds the general mood of responsible leaders both outside the Catholic Church and within, and both throughout the United States and abroad, as favorably disposed toward a calm and reasoned exchange of views on terms of mutual respect and charity as is known to the memory of living men. In that respect this is, indeed, as St. Paul said, the acceptable time, for signs of the improved climate of opinion are on every hand.

Of the dozens of illustrations that come to mind, may I cite three? At St. John's University in Minnesota the annual summer institutes on mental health have since 1954 been drawing an increasing number of Protestant leaders who have joined with Catholic churchmen in week-long discussions on how pastoral psychology may improve the effectiveness of their ministry. Last summer the institute drew, besides a Catholic bishop, four abbots, and nearly forty superiors and adminis-

trators of religious orders, a bishop of the Protestant Episcopal Church, a superior of an Episcopalian religious order for men, as well as executives from the Lutheran, Presbyterian, and Congregational Churches. And at the close of their conferences they passed a resolution of thanks to the monks of St. John's for having provided them with what they termed "new insights for understanding ourselves and our fellow men [and] a better appreciation of the Christian faith we hold together and the fellowship and friendship made possible by Christ."

**M**OREOVER, this spirit of friendly intercourse between men of differing faiths has, perhaps, reached even further in other countries than in our own. For example, in Switzerland last summer when the University of Geneva celebrated the 400th anniversary of its founding by John Calvin, the Catholic Church was invited to join in token of the 700 Catholics now numbered among the university's more than 3,000 students. Instead of that friendly gesture being spurned, as at many times in the past it would have been, the local Catholic bishop graciously accepted it. At a Mass celebrated in Geneva's Church of Notre Dame, Bishop Charrière preached an extraordinary sermon wherein he courteously, but candidly, chronicled the theological differences that divided the Catholics from the Calvinist tradition, and he then remarked:

We rejoice to see the University of Geneva imploring the blessing of God on its fourth centenary. We do so separately—Catholics, Protestants, and Old Catholics—for we cannot ignore our differences; but we do it at the same moment because we wish publicly to recognize our dependence on the Lord. Furthermore, publicly also, we wish to affirm before the whole country our will to seek that which unites us, to deepen it in order the better to understand it, and to persuade ourselves of it.

Finally, the third example that I have chosen represents not only the changed temper of our time among men of varying religious beliefs, but also the new role of responsibility which the Holy See is now assigning to the Catholic laity. In Manila on 2-8 January 1960 there took place an international gathering where the delegates of Pax Romana, having concluded their own sessions three days before, were received at this congress held under the official sponsorship of Unesco on the subject of the cultural values of the Occident and Orient. When we have come to witness an interdenominational conference under the purely secular auspices of a world organization like Unesco having the Catholic Church represented with the full blessing of the Holy See, by an entirely lay organization such as Pax Romana, one is inclined to say that this is progress, indeed!

Ours is a moment in time, therefore, when American Catholics owe it to themselves to become alert to the extraordinary mood of the hour,

lest it should pass without their being heard. In spite of what some ill-informed Americans may think, we Catholics do not seek to occupy this or that national important office for the purpose of advancing the Church's power, for most of these positions, in any case, have inherent in them the manner in which their duties must be executed. Our goal, on the contrary, is to seek the transformation of public opinion toward the Church, and in so doing, to take our share in the ultimate liquidation of the accumulated animosity of more than four centuries, so that our fellow citizens may be given an enlightened concept of Catholicism and be thus enabled to dissipate the mistaken notions that may have been their inheritance from childhood.

In brief, the attitude that should inform our relations with Americans of other religious faiths is that expressed by John Henry Newman in the summer of 1851 when the air of England was filled with a noisy clamor and bitter outcry against the Catholic name. Defining the duty which he conceived that Catholics had toward those outside the Church, the future Cardinal spoke words that we can with profit make our own in reflecting upon the task that lies before us, when he said: "They must be made to know us as we are; they must be made to know our religion as it is, not as they fancy it; they must be made to look at us, and they are overcome."

C

Ed  
EdI  
be  
ma  
me  
The  
com  
can  
the  
tha  
req\*  
1960  
Belg

*Is Catholic acceptance of religious freedom a species of opportunism? Can a Church which is by definition dogmatically intolerant acknowledge religious liberty on principle and not merely on account of compulsion?*

## Church and State

### *in the American Environment\**

EDWARD DUFF, S.J.  
Editor, SOCIAL ORDER

IT MAY well be that the next President of the United States will be a Catholic, a fact which would make him unique among the 33 men who have held this high office. The possibility is a matter of serious concern to many millions of Americans. While they are mindful that the Federal Constitution declares that "no religious test shall ever be required as a qualification to any

office or public trust under the United States," they claim that a sincere Catholic cannot with intellectual honesty accept a fundamental principle of the American political system: the refusal of an official status or even of a favored position to any religious denomination.

At a recent Chicago symposium on "The Present Position of Catholics in America," John Cogley in-

\* Reprinted with permission from *Social Order*, 3908 Westminster Place, St. Louis 8, Mo., November, 1960. This article was originally an address to a group of European sociologists given at Antwerp, Belgium in August, 1960.



licated that there is a widespread feeling among non-Catholics "that the guiding clerics of the church, here as well as abroad, are power-hungry and that their followers are so cowed and so shakily American that they would go to the polls and vote away our traditional liberties if they were strong enough. Let us not kid ourselves: there are many who feel this way."

In accepting the nomination of the Democratic Party for President in Los Angeles, Senator John F. Kennedy addressed himself boldly (and some thought a bit brashly) to this fear of clerical imperialism. Recalling his 14 years of public service "supporting complete separation of Church and State," the nominee (who had earlier taken stands against an Ambassador to the Vatican and Federal aid to non-state schools) declared:

It is not relevant, I want to stress, what some other political or religious leader may have said on this subject. It is not relevant what abuses may have existed in other countries or in other times. It is not relevant what pressures, if any, might conceivably be brought to bear on me. I am telling you now what you are entitled to know: that my decisions on every public policy will be my own—as an American, a Democrat and a free man.

Whether such an affirmation of total independence of any possible clerical counsel, whether such an avowal of faith in the American political arrangement will allay the doubts of non-Catholics remains to be seen. Senator Kennedy hoped

"that no American, considering the really critical issues facing this country, will waste his franchise by voting either for me or against me solely on account of my religious affiliation."

The religious affiliation of the Democratic Party's candidate in 1928 certainly counted heavily against him. Alfred E. Smith, elected four times as Governor of the State of New York, was the only other Catholic ever to be nominated for the Presidency by a major political party. Although the prosperity of the times, his advocacy of the repeal of the Prohibition Amendment, his personal cultural deficiencies and his identification with the political machines of the big cities hurt his chances, his Catholicism, historians are agreed, was a major negative factor in his campaign. Since the objections to Senator Kennedy on the ground of the alleged incompatibility of his Catholicism with American political premises are the same that were urged against Governor Smith, it may be profitable to review this aspect of the 1928 campaign as well as its historical roots.

It is commonly—and hopefully—held that the notion that Catholicism is a tradition alien and opposed to American culture has abated decisively since the 1928 campaign. After all, Catholics constitute 23 per cent of the nation's population; they demonstrated their patriotism splendidly in the war (Senator Kennedy was decorated for bravery in action in the Pacific); they and their educational institutions have been grow-

ing impressively. Senator Kennedy is himself a symbol of this social advance. His great-grand parents were Irish immigrants; his grandfather became Mayor of Boston; his father, a former Ambassador to Great Britain, has through shrewd business skills become a multi-millionaire; the Senator is one of the Overseers of Harvard University and an author of a book awarded the Pulitzer literary prize for historical writing. Handsome, highly intelligent and energetic, he would appear to be the refutation of the earlier image of the Catholic as a foreigner, uneducated and shiftless, superstitious and immoral, huddled with his fellow immigrants in poverty in the teeming tenements of the large cities.

**S**UCH was the image that was exploited to defeat the last Catholic candidate for President. It was an expression of a bigotry known as "nativism"; its roots go back to the founding of the country. The American colonists were unabashedly anti-Catholic. Patriotism was synonymous with Protestantism, for England was the motherland of the original settlers.

Virginia, for example, incorporated the features of the English Established Church under the Acts of Supremacy and of Uniformity. By the royal charter of 1606 the colony was authorized to give financial support to ministers, to require church attendance of all settlers and to levy penalties upon all who spoke blasphemy or heresy. No

religious beliefs except the legally approved religion could be publicly taught without danger of legal punishment by the State.

Somewhat similar forms of Anglican establishments were enacted in the Carolinas and eventually in Maryland and Georgia. Nor may it be thought that the Puritans of New England, victims of religious persecution in England, proposed to allow freedom of religion to others. They objected, to be sure, to the Anglican doctrine that the civil ruler is the supreme authority in religious affairs; they were, moreover, determined to "purify" religion of all Catholic taint; they made their religious orthodoxy the law of the land in Massachusetts, Connecticut and New Hampshire. Only members of the Puritan church could become freemen.

In another group of colonies, New York, New Jersey, Maryland and Georgia, religious freedom varied with changes in the population. Thus, in New York each town was required to have some kind of a church and to support it but its denomination was left to the decision of the people of the locality. It was sufficient that the preacher be in possession of a certificate of ordination from some Protestant bishop or minister.

The example of Maryland is instructive. Intended originally as a haven for persecuted Catholics, it celebrated last year the 325th anniversary of its founding. In a message to the commemorative meeting on November 22, 1959 President

Eisenhower sent a message declaring that Americans "owe a debt of gratitude to the founders of Maryland who welcomed settlers of every creed to her hospitable shore." The marker unveiled by the Maryland Historical Society reads:

St. Mary's City, capital of Maryland, 1634-1964. Here, for the first time in America, men and women of different faiths, lived in peace and goodwill, practicing freedom of conscience, according to Lord Baltimore's "Instruction to Colonists," 1633. Freemen assembled, of various beliefs, changed practice into law by approving "An Act Concerning Religion." 1649.

The Catholic Lord Baltimore's "Instruction to Colonists," it was noted at the ceremony, insisted that non-Catholics should be treated "without discrimination on religious grounds." Protestants came to Maryland in such numbers, however, that the Puritans were able to pass laws discriminating against Catholics. In 1704 "An Act to Prevent the Growth of Popery" was adopted by the legislature; its restrictions resemble the disabilities imposed on non-Catholics in Spain today.

Another group of colonies, Rhode Island, Pennsylvania and Delaware, were founded on a larger measure of religious freedom. However, the celebrated historian of bigotry in the United States, Ray A. Billington declares in his *The Protestant Crusade, 1800-1860*: "So general was . . . anti-Catholic sentiment in Colonial America that by 1700 a Catholic could enjoy full civil and religious rights only in Rhode Island, and even here it is doubtful what the

interpretation of the liberal statutes might have been."

There were political causes as well as religious grounds for the colonists' anti-Catholicism. Catholic Powers threatened their existence from both north and south. Fear of Spain, established in Florida, induced Georgia to appoint an inspector to make sure all immigrants were Protestants. Oaths denouncing transubstantiation were required of all officeholders after 1743.

With the advent of the 18th century wars between France and England, Pennsylvania, Virginia and New York disarmed all Catholics, the last State requiring them to post a bond for good behavior. Catholics living in the middle colonies were put under close surveillance.

North and South Carolina along with New Hampshire imposed a rigid system of oaths to prevent Catholics from holding office or enjoying the free exercise of their religion. Connecticut removed them from the protection of its laws.

The Quebec Act of 1774, extending toleration to Catholics there and including in that province the French settlers of the Ohio country, was viewed as an alliance of an autocratic English king with an autocratic Pope to sway Catholic Canadians against Protestant Americans. Some historians contend that the colonists' resentment of the Quebec Act and their fear of Catholic power cemented the divergent religious groups sufficiently to allow them to make war on England.

So hostile was the environment

of the colonies and so repressive the legislation that the historian of American Catholicism, Peter Guilday, has written that at the eve of the Revolutionary War the Catholic group, numbering 25,000 of all ages, was threatened with extinction. The decisive support of Catholic France to the Revolution and the demonstrated loyalty of the Catholic to the cause of freedom (one of the signers of the Declaration of Independence, Charles Carroll, was a Catholic, the wealthiest man in the colonies) changed public opinion considerably. Even so, at the end of the Revolution seven States, Massachusetts, New Hampshire, New Jersey, Connecticut, North Carolina, South Carolina and Georgia, specified Protestant officeholders and other states in their constitutions inflicted additional disabilities on Catholics.

**I**N the general atmosphere of liberty engendered by the successful War of Independence an amendment guaranteeing freedom of religion was added to the Federal Constitution by the Congress of the United States in its first session on September 25, 1789. Life became easier for Catholics.

It was the great waves of immigration, mostly from Catholic countries, that occasioned the first outbreak of bigotry before the Civil War. Willing to take any kind of work, they drove down wages. Poor and ignorant, and penniless, they often became public charges. The language barrier made them separate

and suspect as later in the century and up to World War I, Slavs, Magyars and Italians replaced the original wave of Irish and German immigrants. It became politically profitable to point to the danger to the essentially Protestant culture these immigrants represented. Their membership in a universal church was ground for absurd canards, for example, of political directives emanating from the Vatican. Ignorance of Catholicism made possible the acceptance of stories about the immorality of convents and the moral tyranny of the confessional.

As successor to the infamous "Know-Nothing Party" (so-called because its members refused to answer any questions) and the American Protective Association of the last century, the post World War I years saw the emergence of the Ku Klux Klan. Catholicism was only one of the objects of this secret organization claiming five million members. It was anti-foreign, anti-Negro, anti-Semitic; it identified America with the supremacy of white, Anglo-Saxon Protestantism. The poison of its preaching worked mightily against the Catholic nominee of 1928, Governor Smith.

It is undoubtedly true that the climate of opinion has changed a great deal in the intervening years. Will Herberg, a religious sociologist, speaks of "the transformation of the United States from a Protestant to a three-religion country" and argues that today a good American citizen is expected to have a religion, although it is a matter of general in-

difference which it is, since any religious affirmation is sufficient to support the moralistic "American Way of Life." The change is illustrated tellingly by two books: the 1927 edition of André Siegfried's *America Comes of Age* describes Protestantism as "our national religion." The introductory chapter of a 1951 symposium *Protestant Thought in the Twentieth Century* is entitled "America at the End of the Protestant Era."

**I**NDEED, it has been suggested that much of the preoccupation with the "religious issue" in this present campaign reflects a fear of the loss of a symbol of Protestant cultural ascendancy. Noting that Catholics are taken for granted as mayors, governors, senators and even as Supreme Court Justices, Rabbi Arthur Hertzberg asks: "Why, then, do Blake and Oxnham, as well as Pike, balk only at the Presidency? The answer would seem to be that they have an almost mystical regard for the Presidency as the incarnation of 'the American way of life,' which they tend to identify, for historical reasons, with non-conformist, individualistic Protestantism. Such Protestantism, in the deepest sense, is the American 'establishment' as Protestants envisage it, and the Presidency is as much its head as the Queen of England is the head and highest exemplar of the Church of England" (*Commentary*, October, 1960, p. 283).

Although it may no longer be accurate to describe the United States

as a Protestant country, the heritage of Protestantism (and of elements of Enlightenment thought that were present in the minds of the Founding Fathers) still holds Catholicism suspect and doubts that an authoritarian religion can really be comfortable in the libertarian American environment. Last year a Catholic publishing house invited a small group of well-disposed non-Catholics to set down their impressions of American Catholicism. One of them, Professor Stringfellow Barr, declared: "It is simply a brutal fact that American non-Catholics are afraid of the Catholic Church, and its behavior in certain other countries has not reassured them. Fear is a bad basis for good communication, and breeds a kind of cold war." This fear crystallizes around the issue of the relationship of Church and State and, concretely, on the question of the First Amendment to the federal Constitution which declares: "Congress shall make no law respecting an establishment of religion or prohibiting the free exercise thereof . . ."

The charge, based on official church pronouncements, is made persistently that a Catholic cannot give sincere intellectual assent to this fundamental provision of the nation's Bill of Rights, that his religious belief is in inevitable and insoluble conflict with true political allegiance to his country. Senator Kennedy anticipated the challenge by announcing in advance that he believes in the separation of Church and State and by pointing to his

public record. To Governor Smith the challenge came in the form of an elaborately courteous "Open Letter" from a distinguished New York lawyer, Charles C. Marshall, published in the prominent cultural review, the *Atlantic Monthly*. Analyzing the assertions of the 1885 encyclical *Immortale Dei*, the writer singled out Pope Leo's claim: "Over the mighty multitude of mankind, God has set rulers with powers to govern, and he has willed that one of them (the Pope) should be the head of all." Mr. Marshall found the logical conclusion to this claim in Leo's statement that the Catholic Church "deems it unlawful to place the various forms of divine worship on the same footing as the true religion." This being the Catholic position, as diagnosed by Marshall, his concern was normal. He wrote:

It is obvious that such convictions leave nothing in theory of the religious and moral rights of those who are not Roman Catholics. And, indeed, that is Roman Catholic teaching and the inevitable deduction from Roman Catholic claims, if we use the word "rights" strictly. Other churches, other religious societies, are tolerated in the State, not by right, but by favor.

How could Smith live at once with the Constitution's prohibition of an established religion, its insistence on holding in equal favor different kinds of religion or no religion and with the statement of Leo XIII: "It is not lawful for the State, any more than for the individual, either to disregard all religious duties or to hold in equal favor different kinds

of religion?" Marshall put a direct question to the Catholic candidate: "Thus the Constitution declares the United States shall hold in equal favor different kinds of religion or no religion and the Pope declares it is not lawful to hold them in equal favor. Is there not here a quandary for that man who is at once a loyal churchman and a loyal citizen?"

THERE is no evidence that Charles Marshall was particularly prejudiced. His professed purpose was to enable Governor Smith to explain what seemed a conflict of Catholicism and American constitutional law: Marshall did not exploit against the Catholic candidate the standard reference book on the subject, *The State and the Church*, by John A. Ryan, Professor of Moral Theology at the Catholic University of America, in collaboration with Moorhouse I. X. Millar, S.J. The book set forth the traditional confessional state as the ideal form of relationship between Church and State. In this ideal arrangement the state, as the political instrument of society, would profess the Catholic faith and, in consequence, would act to advance Catholicism while discouraging, if not repressing, false religions.

Father Ryan's argumentation may be judged from this series of quotations from three consecutive pages of his book as stitched together by Paul Blanshard, the most vocal of the current Catholicism-as-a-political-peril school, to indicate that freedom of religious worship would

not be available to non-Catholics in any state based on Catholic principles:

If these [religious practices] are carried on within the family, or in such inconspicuous manner as to be an occasion neither of scandal nor of perversion to the faithful, they may properly be tolerated by the state. . . . Quite distinct from the performance of false religious worship and preaching to the members of the erring sect is the propagation of the false doctrine among Catholics. This could become a source of injury, a positive menace, to the religious welfare of true believers. Against such an evil they have a right of protection by the Catholic state. . . . If there is only one true religion, and if its possession is the most important good in life for States as well as individuals, then the public profession, protection, and promotion of this religion and the legal prohibition of all direct assaults upon it, becomes one of the most obvious and fundamental duties of the state.

Embarrassed by the use made of his expression of the traditional Catholic teaching against the Catholic candidate, Monsignor Ryan wrote to the *New York World*: "While all this is very true in logic and in theory, the event of its practical realization in any state or country is so remote in time and in probability that no practical man will let it disturb his equanimity or affect his attitude toward those who differ from him in religious faith."

Governor Smith was disposed to ignore the Marshall challenge, so preposterous did the alleged conflict of his religion and his patriotism seem to this self-educated son of

Irish immigrants. Ultimately at the strong urging of his political advisors, Franklin D. Roosevelt prominently among them, he reluctantly addressed himself to the task of composing a reply, summarizing his creed "as an American Catholic." His first riposte was direct: "So little are these matters of the essence of my faith that I, a devout Catholic since childhood, never heard of them until I read your letter." He felt compelled to minimize the authority of the pronouncements invoked by Marshall, demanding

by what right do you ask me to assume responsibility for every statement that may be made in any encyclical letter? As you will find in the *Catholic Encyclopedia* (Vol. V., p. 414) these encyclicals are not articles of our life. The Syllabus of Pope Pius IX which you quote on the possible conflict between Church and State, is declared by Cardinal Newman to have no dogmatic force! You seem to think that Catholics must be all alike in mind and in heart, as though they had been poured into and taken out the same mould. You have no more right to ask me to defend as part of my faith every statement coming from a prelate than I should have to ask you to accept as an article of your religious faith every statement of an Episcopal bishop, or of your political faith every statement of a President of the United States.

Smith declared unabashedly: "I believe in absolute freedom of conscience for all men and in equality of all churches, all sects, and all beliefs before the law as a matter of right and not as a matter of favor. I believe in the absolute sep-



aration of Church and State and in the strict enforcement of the provisions of the Constitution that Congress shall make no law respecting an establishment of religion or prohibiting the free exercise thereof. I believe that no tribunal of any church has any power to make any decree of any force in the law of the land, other than to establish the status of its own communicants within its own church."

**G**OVERNOR Smith found support for his position in the phenomenological aspect of American Catholicism, its historic stance on the issue of religious freedom. He read the record:

The American prelates of our Church stoutly defend our constitutional declaration of equality of all religions before the law.

Cardinal O'Connell has said: "Thus to every American citizen has come the blessed inheritance of civil, political, and religious liberty safeguarded by the American Constitution . . . the right to worship God according to the dictates of his conscience."

Bishop England, referring to our Constitution, said "Let the Pope and the Cardinals and all the powers of the Catholic world united make the least encroachment on the Constitution, we will protect it with our lives. Summon a General Council—let that Council interfere in the mode of our electing but an assistant to a turnkey of a prison—we deny the right, we reject the usurpation."

Archbishop Ireland has said: "The Constitution of the United States reads: 'Congress shall make no laws respecting an establishment of religion, or pro-

hibiting the free exercise thereof.' It was a great leap forward on the part of the new nation towards personal liberty and the consecration of the rights of conscience." He also said: "To priest, to bishop, or to Pope (I am willing to consider the hypothesis) who should attempt to rule in matters civil and political, to influence the citizen beyond the range of their own orbit of jurisdiction that are the things of God, the answer is quickly made. 'Back to your own sphere of rights and duties, back to the things of God.'"

Archbishop Dowling, referring to any conceivable union of Church and State, says: "So many conditions for its accomplishment are lacking in every government of the world that the thesis may well be relegated to the limbo of defunct controversies."

Archbishop Ireland again said: "Religious freedom is the basic life of America, the cement running through all its walls and battlements, the safeguard of its peace and prosperity. Violate religious freedom against Catholics, our swords are at once unsheathed. Violate it in favor of Catholics, against non-Catholics, no less readily do they leap from the scabbard."

It was almost snidely that Smith observed to Marshall: "I think you have taken your thesis from this limbo of defunct controversies." The allusion here is to the celebrated distinction of "thesis-hypothesis" elaborated by the Jesuit editors of *Civiltà Cattolica* in the wake of the controversy following the publication of the *Syllabus Errorum* of 1864. According to the "thesis" the Catholic Church, the unique, divinely created vehicle of salvation of mankind, is superior in nature, purpose

and destiny to the state and is entitled to the assistance of the political instrument of society in the propagation of the gospel and the suppression of heresy. According to the "hypothesis" the Church, being unable to impose its claims, provisionally tolerates erroneous opinions and condones religious freedom as the lesser evil.

**T**HE consistent and uninterrupted voice of the magisterium of the Church in the United States from the beginning appears unaware of the necessity of any such distinction, the hierarchy giving full-hearted approval of the political arrangement set forth in the Constitution whereby the state declares itself neutral in the matter of religious belief.

In 1784, seven years before the adoption of the First Amendment, John Carroll, first bishop of the United States, declared openly: "We have all smarted heretofore under the lash of an established church and shall therefore be on our guard against every approach toward it." He was pleased to note that, "thanks to genuine spirit and Christianity, the United States has banished intolerance from its system of government. Freedom and independence, acquired by the united efforts, and cemented by the mingled blood of Protestant and Catholic fellow citizens, should be equally enjoyed by all." The outstanding loyalty of Bishop John England of Charleston, South Carolina, was acknowledged by the Holy See which commissioned

him Papal Nuncio to negotiate a concordat with Haiti. Yet, addressing the Hibernian Society of Savannah, Ga. on Saint Patrick's Day, 1824, the bishop did not blush to plead: "May God long preserve the liberties of America from the union of any church with any state." On another occasion, Bishop England proclaimed "I am convinced that a total separation from the temporal government is the most natural and safest state for the Church in any place where it is not, as in the Papal territory, a complete government of churchmen." In an argument over parochial school support in 1850 Archbishop John Hughes referred to "that justly obnoxious union of Church and State." Preaching in his titular church in Rome in 1909 Cardinal Gibbons asserted:

As a citizen of the United States, without closing my eyes to our defects as a nation, I proclaim, with a deep sense of pride and gratitude, and in this great capital of Christendom, that I belong to a country where the civil government holds over us the aegis of protection without interfering in the legitimate exercise of our sublime mission as ministers of the gospel of Jesus Christ. . . . American Catholics rejoice in our separation of Church and State. And I can conceive of no combination of circumstances likely to arise which would make a union desirable either to Church or State. . . . We know the blessings of our present arrangement; it gives us liberty and binds priests and people in a union better than that of Church and State. . . . Other countries, other manners; we do not believe our system adapted to all conditions; we leave it to Church and State

in other lands to solve their problems for their own best interest. For ourselves we thank God we live in America, "in this happy country of ours," to quote Mr. [Theodore] Roosevelt, where "religion and liberty are natural allies."

It was a sentiment that was echoed by Archbishop Ireland and Spalding among others. Quoting Cardinal Gibbons' words 40 years later, Cardinal Cushing declared: "So spoke in his day Cardinal Gibbons. So do we speak in our day."

**I**N 1948 Archbishop John T. McNicholas of Cincinnati endeavored to set all doubts on this point to rest. Speaking as the Chairman of the Administrative Board of the National Catholic Welfare Conference (and, therefore, as spokesman for the entire hierarchy), on January 25, 1948, he made this solemn declaration:

If tomorrow Catholics constituted a majority in our country, they would not seek a union of Church and State. They would then, as now, uphold the Constitution and all its amendments, recognizing the moral obligation imposed on all Catholics to observe and defend it.

Archbishop McNicholas' reassurance has been very recently updated by his successor as Chairman of the Administrative Board of the National Catholic Welfare Conference and, thus, spokesman for the American hierarchy, the most Reverend Karl J. Alter, Archbishop of Cincinnati. Insisting that "there is no doctrine of the Catholic Church which is in conflict with the Constitution of the United States and, hence, there can be no conflict between the obliga-

tions imposed by the Church and those imposed by the Constitution," Archbishop Alter gave the following pledge:

The fear that we as Catholics will use religious toleration here to gain the ascendancy in our country, and then, having achieved political hegemony, proceed to deprive our fellow citizens of freedom of speech in religion, freedom of conscience, or impose our convictions upon them willy-nilly, is utterly unwarranted by any doctrine of the Catholic Church, as well as by the consistent pronouncements of the American hierarchy. We seek no privileged status; we proclaim our full adherence to the provisions of the Constitution as of now as well as for the future.

It is small wonder, then, that Archbishop Egidio Vagnozzi, Apostolic Delegate to the United States, asserted in the course of a symposium on Pope Leo XIII, held at Loyola University, Chicago on March 18:

As far as the United States is concerned, I feel that it is a true interpretation of the feelings of the hierarchy and of American Catholics in general to say that they are well satisfied with their Constitution and well pleased with the fundamental freedom which their Church enjoys; in fact, they believe that this freedom is to a large extent responsible for the expansion and consolidation of the Church in this great country. Whether they remain a minority or become a majority, I am sure American Catholics will not jeopardize their cherished religious freedom in exchange for a privileged position.

Surveying this uninterrupted and energetic endorsement of the principle of religious freedom written

into the First Amendment, Msgr. John Tracy Ellis concluded: "When one considers that the position which I have been outlining has been held from 1784, when the future Archbishop Carroll was found publicizing his acceptance of the American pattern of church-state relations, to 1948, when the late Archbishop McNicholas made unmistakably clear his wholehearted avowal of the separation of Church and State in this country—and that no variation from this theme has been heard from an American Catholic bishop—this should constitute an argument entitled to respect."

The meaning of the same record was read by Professor Henry Steele Commager in his *The American Mind* in this fashion:

Whatever conclusion may be drawn from a scrutiny of Catholic doctrine, the fact was that Catholicism had flourished as a major religion for three-quarters of a century without raising serious difficulties except in the imagination of men and that democratic institutions seemed as sound when the church numbered 24 million members as they had been when it counted its communicants by the hundred thousand. . . . It might indeed be maintained that the Catholic Church was, during this period [since 1889], one of the most effective of all agencies for democracy and Americanization.

How to explain this loyal acceptance of a political philosophy whose Constitution, while not employing the phrase, imposes a separation of Church and State, an arrangement deplored in Papal documents? The purpose of the First Amendment and

the temper of its declaration of distinction of jurisdiction explains this positive allegiance of the American Catholic mind to the public law of the land.

THE First Amendment to the Constitution—prohibiting a national established church and guaranteeing freedom of religious expression—does not embody an ideology. It represents a pragmatic disposition. "It is not," as Father Gustave Weigel, S.J. has remarked recently, "a theological statement but a legal principle." Abundant and unassailable historical evidence demonstrates, as Mr. Justice Story attests in his fundamental study on the Constitution, that: "The real object of the Amendment was to exclude all rivalry among Christian sects and to prevent any national ecclesiastical establishment which should give to a hierarchy the exclusive patronage of the national Government." Behind this determination was the concern to leave to the separate States their preferences in matters of the preferred religion. (For many years several did, Massachusetts disestablishing its Congregational Church only in 1833 and to this day New Hampshire by its Constitution may legislate for "adequate support of public Protestant teachers of piety.")

In addition, there was undoubtedly resentment over the disloyalty of the established Anglican churches in several of the colonies during the Revolution. Also actively present as a factor were the views of the very

influential James Madison who, typical of many of his Virginia friends, conceived of religion as being of a wholly private character. That framers of the Amendment did not conceive of the Amendment as an expression of indifference to religion nor as a mandate against non-discriminatory cooperation between the state and religion is evident from the action of the U. S. Senate which, having agreed on the language of the Amendment, appointed a committee "to wait on the President of the United States to request that he recommend to the people of the United States that a day of public thanksgiving and prayer be observed." Archbishop Alter emphasizes the crux of the matter, observing: "The First Amendment actually limits the jurisdiction of the government by denying it any competence in the field of religion."

It is important to remember that the American Revolution is *not* a product of the French Revolution whose cause and inspiration and consequences were essentially different. The writers of the American Constitution were not 19th century Liberals, promoting a policy of religious oppression in the name of religious freedom, using the slogan of the separation of Church and State to expel religious orders, confiscate church property and penalize the Church's charitable activity. They had no desire to separate religion from public life, for they had founded their claims to justice in the Declaration of Independence on the fact that "all men are created equal,

that they are endowed by their Creator with certain unalienable rights."

That is why the Pledge of Allegiance to the flag declares that we are "one nation, under God," why our money has always carried the emblem "In God We Trust," why the crier opens sessions of the Supreme Court with the call "God save the United States and this Honorable Court," why each session of Congress is opened with a prayer, why the students at the national military academies have always been required to attend the chapel of their religious faith. In short, as the Supreme Court ruled in a case releasing children from school for religious instruction, "we are a religious people whose institutions suppose a belief in a Supreme Being." It is the affirmation of the American political system that, by a self-denying ordinance, the Government may (and in a modern pluralistic society should) abstain from recognizing or favoring any particular form of faith followed by this "religious people."

The question is inescapable and American Catholics are constantly confronted with it: Is our acceptance of religious freedom a species of superficial opportunism, of intellectual dishonesty and of political Machiavellism as the "thesis-hypothesis" distinction would seem to suggest? Can the Church which is, by definition, dogmatically intolerant acknowledge religious liberty on principle and not merely on account of compulsion or expediency?

To be sure, the Catholic Church

which announces itself to be the repository of revealed truth cannot be expected to cease insisting on the obligation of each person to seek and pursue the truth, an obligation limiting the notion of freedom of conscience. "You are not morally free," the Church declares, "not to believe, whatever be your personal rights to pursue your present religious convictions." There is a distinction here between ontological truth and personal freedom which was underscored in a sentence of Pius XI's encyclical on fascism, *Non abbiamo bisogno*: "We are both proud and happy to fight for the freedom of consciences (*la libertà delle coscienze*), and not, as I was inadvertently led to say, for freedom of conscience (*la libertà di coscienza*), an ambiguous expression that is all too often wrongly used to mean complete independence of conscience which is absurd when applied to a soul created and redeemed by God."

The same distinction was stressed last year by Cardinal Lercaro of Bologna in his widely read lecture on tolerance: "When one affirms that truth is objective, by that very fact he admits of a distinction between truth itself and the act by which the individual yields to truth. Hence, in recognizing the objectivity of truth, the individual is, at the same time, establishing the right to personal freedom." Further striking quotations might be offered from Cardinals Feltn, Griffin and Cushing as well as from Bishop François Charrière of Fribourg, traditional center of Catholic Social Thought.

The Church has always insisted on religious freedom in that from the beginning she has forbidden — and termed a sin—any forced conversion. The new emphasis to be noted is on the sacredness of the person as the basis of his subjective right to freedom of conscience.

THOSE inclined to consider the strictures on religious freedom of 19th century Popes, not least those of Leo XIII, as having permanent appositeness might well ponder the words of the same Pope:

It is the special property of human institutions and laws that there is nothing in them so holy and salutary but that custom may alter it, or overthrow it, or social habits bring it to naught. So in the Church of God, in which changeableness of discipline is joined with absolute immutability of doctrine, it happens not rarely that things which were once relevant or suitable become in the course of time out-of-date, or useless, or even harmful.

In his 1955 discourse to the International Historical Congress Pope Pius XII, for example, recognized explicitly that the medieval idea of a Church having power over the state "was time-conditioned and did not represent fundamental Catholic principles in the matter." An example of such adaptation and development emerged during the press conference on October 30, 1959 when Cardinal Tardini, Papal Secretary of State, was explaining the

preparations for the coming General Council. One point, as reported by the London *Tablet*, is of interest:

Asked whether invitations would be sent to the governments of foreign states as was the custom in the past, Cardinal Tardini replied that "times have changed" and that the presence of the mighty of the earth, instead of adding dignity to the proceedings, might well provide an incongruous touch. . . . The press will be kept fully informed about the proceedings, not least to prevent reporters from guessing or reporting rumors.

Moreover, the historical context of papal pronouncements must always be kept in mind. Replying to the question "Where can one find the most authoritative and clearest statement of Catholic principles in relation to the subjects we have discussed?" Archbishop Alter replied: "Not in the much quoted writings or encyclicals of Boniface VIII or in the *Syllabus of Errors* of Pius IX; not in the sense that their teaching is rescinded, but in the sense that they cannot be rightly understood outside their historical context. They are couched in a language of polemics as well as of exposition." Thus, as the editor of the London *Tablet* notes, the *Syllabus of Errors* of 1864, although it used general language, arose in an Italian context, and was aimed primarily by an encircled Pope against the followers of Mazzini and Cavour, and meant by progress and the modern civilization with which the Roman Pontiff had no obligation to reconcile himself what Mazzini and Cavour meant by those high, vague words. But the document went around

the world as a declaration of war on a far broader front than its authors ever intended, absorbed as they were in the death-throes of the temporal power after some twelve hundred years.

Pope Pius XII insisted on the Church's "vital law of continuous adaptation" and on her refusal to become so identified with a particular historical moment as to be incapable of further dynamic development. The Church's experience under modern totalitarian regimes and her increasing contact with the competing cultures of the globe have occasioned a new openness to changing conditions.

Thus, Pope Pius XII's Christmas Message of 1944, entitled in English "On Democracy," recommended "social forms which can permit and ensure full personal responsibility in things temporal as well as in things eternal." Among the fundamental rights of man, the Holy Father listed "the right to worship God in private and in public and to continue this with charitable works of religious nature."

THE painful experience of changes in historical circumstances has convinced the Church that the denial of fundamental human rights to all men inevitably leads to a restriction of the freedom of the Church in the public life of a nation and is immensely dangerous to her apostolic mission.

The harsh reality of the jack-boot state, invading every domain of personal life, imposing its organized



ideology as a substitute for religious faith, has made the Church think kindlier of the democratic regime with its self-imposed limitation of function and its official neutrality on religious questions. It is not without significance that, when French integrists complained of the inclusion of the adjective *laïque* in the Constitution of the Fifth Republic, the hierarchy reminded them that the word does not necessarily have a pejorative meaning. In a conference to the leaders of Catholic Action last December 31 in the context of the debate on school aid in the National Assembly, Bishop Guerry of Cambrai explained the distinction by employing two different words.

Applied to the question of education, a public function of the *State, la laïcité* means that this public service is non-denominational, that it is neutral and need not, therefore, take a position for or against religion. The *laïcité* of the State manifests itself in the practical order then by an impartiality towards the different religious groups, recognizing the pluralism of the nation. A wholly different thing is the *laïcisme d'Etat*, that is to say, a philosophical doctrine based on agnosticism and ideological atheism which is to serve as the official inspiration of the State in all its public functions including that of education. This *laïcisme d'Etat* is the opposite of the genuine *laïcité d'Etat*.

The Church's increasing contacts with the different civilizations of the world was certainly in the mind of Pope Pius XII when he addressed the Catholic Jurists of Italy on

December 6, 1953. The Holy Father deplored the transfer of the proposition that "error has no rights" from the metaphysical plane to the sphere of state legislation where it may offend against the common good. "God Himself," noted the Holy Father, "permits error and evil . . . the duty of suppressing moral and religious error cannot, therefore, be the final norm for action."

THIS papal denial of the government's right to restrict religious freedom cannot, of course, be converted into an affirmative argument establishing freedom of religion as a universal principle. It can be honestly reported, however, that the clear trend of theological thinking in the Church is toward such an opinion. It is significant that one of the articles which the editor of the *Catholic Encyclopedia* felt needed updating after 50 years was that on Church and State. Appearing as a fascicule, issued as a supplement to the 1908 edition, it reports the current pre-occupations of Catholic theologians who are striving to clarify the distinctions between the inner reality of religion and its cultural encrustation. It may well be that the catalyst will be a more acute analysis of the concept of "the community," the society of voluntary groups intervening, in logic, between the person and the state, a concept not over-familiar to students of Roman and Napoleonic law.

In any case, the direction the debate is taking has been assessed by

an outsider, Dr. A. F. Carrillo de Albormoz, a research specialist at the World Council of Churches' headquarters at Geneva. In the course of a 95-page survey of contemporary Catholic discussion, published as *Roman Catholicism and Religious Liberty*, Dr. Carrillo observes:

Roman Catholic literature representing this modern tendency has lately been so voluminous and of such quality that it would be an understatement to say that, for *one* book or article in favor of the traditional doctrine, *ten* have been published defending universal religious freedom as "thesis"; and we should note that they have all been published with the "nihil obstat" of the Roman Catholic authorities. As is well known, the "nihil obstat" does not always mean that the book approved reflects exactly the official Roman Catholic doctrine on the matter, but it does always mean that nothing in such book is against the official teaching of the Roman Catholic Church.

Dr. Carrillo concludes his inquiry:

We think that there is evidence enough of the fact that:

1. Many Roman Catholic theologians, in many countries, defend a new theory in favor of complete religious freedom in principle, which is quite different and even opposite to the old doctrine of "thesis" and "hypothesis."
2. This theory has in no way been condemned but, on the contrary, is supported by very important members of the Roman Catholic Hierarchy; and
3. This theory is not a tactical variant of the old doctrine for reasons of opportunism, but another radical and irreducible doctrinal position which is very

sincerely and fiercely fighting the old one.

The study of Dr. Carrillo has been circulated in influential quarters in the United States. Its conclusions have been welcomed by American Catholics as useful to dispel the doubts and confusions endemic in the minds of non-Catholics. At the Chicago symposium in mid-June on "The Present Position of Catholics in America" Bishop John King Musio of Steubenville, Ohio remarked that the American Catholic has learned to give "to the service of his country the same spirit of loyal service he gives to his Church . . . he could never properly recognize as the authority of God what would deprive men, no matter what their background, race or persuasion of their inherent right to worship God as conscience dictates." "Hence his surprise," commented the Jesuit weekly *America* on July 2,

at expressions of fear by some of his fellow Americans over possible encroachments by the Church on traditional American liberties. Even less comprehensible to the American Catholic is the fondness manifested by some of his coreligionists abroad for interpreting or discussing American domestic affairs in terms of the far less satisfactory history of Church-State or intercredal relations in other lands.

Freedom of religion whatever its observance is today conceded to be a fundamental human right. It is inscribed in the Universal Declaration of Human Rights and incorporated in the Charter of Human Rights of the Council of Europe which,

incidentally, Norway had to sign with a reservation because of the discriminatory clauses of its Constitution. What the ideological underpinnings of such a right are, however, is not clear. For the jurist, I suppose, the phenomenon of the prevalence of such guarantees in modern political constitutions gives the right recognition in international public law.

The Protestant world community, as institutionalized in the World Council of Churches, has no doctrinal position on Church-State relations. Its 1948 Amsterdam Assembly listed as primary characteristics of genuine religious freedom, "the rights of all men to hold and change their faith, to express it in worship and practice, to teach and persuade others, and to decide on the religious education of their children" but the Director of the World Council's Commission of the Churches on International Affairs, O. Frederick Nolde, concedes that the approach is "juridical" and insisted at that time that "there is an immediate need for the development of a Christian view on human rights in forms which will apply to all men."

**N**O great progress is evident. American Protestantism seems merely to have given theological canonization to the political theory formulated in the First Amendment of the Constitution. And, yet its conception of the separation of Church and State seemingly authorizes very many pastors to use their pulpits to

give advice on how to vote in the present Presidential campaign.

Working out a satisfactory theology of religious toleration will be an immense task that will have to draw out and synthesize a vast amount of Catholic teaching on the freedom of the act of faith, on the nature and the scope of the state, on the primacy of the individual's conscience and on the modes of apostolic action available to the Church in our times.

The task is not an easy one because, as Canon McReavy notes, "The problem is itself relatively modern and the theology of it is still in process of being worked out." The issues involved are not simple ones but they are crucially important. "The fundamental question we have to answer," writes Gabriel Marcel very pertinently, "is that of knowing on what principle it is possible to base a religious freedom that will be truly a contra-intolerance and that, nevertheless, will not be the expression of the testimony of scepticism, but instead the living incarnation of a faith."

Formulating a theology of tolerance is a task Father Max Pribilla, S.J., thought urgent ten years ago. "Above all," he remarked, "Catholics should consider it a primordial task to come to a theoretical and practical agreement which—at least in respect of more difficult issues—does not exist to date. This lack of unanimity weakens their inner unity and renders their outward defence more difficult."

American Catholics are eager to

see such a theology elaborated not because they sense that it would make the candidacy of Senator Kennedy more attractive to their fellow citizens. A recent article by a regular contributor to *America*, Donald McDonald, makes an earnest plea for "A Theology of Tolerance." The statements of the hierarchy insisting on their permanent and unconditional acceptance of the Constitution with its separation of Church and State provisions (and this even should Catholics constitute a majority of the nation) is found by the writer to be "not enough". There is need of an adequate and affirmative argument es-

tablishing the theological validity of such acceptance of the American political system. Before the Church takes a position, the writer observes theologians must first attend to their traditional task of elaboration and explanation.

They will have a clear set of facts to start from: the uninterrupted and the consistent declarations of the American hierarchy extolling, as fully satisfying the demands of Catholic teaching and as fruitful for religion, a regime in which responsibility for the growth of the Kingdom of God is left uniquely in the hands of his assigned agents, unassisted by Caesar's functionaries.

### International Cooperation

Besides the work accomplished by the International Conference of Catholic Charities, there still remains much to be done to make Catholics throughout the world more anxious to practice their duties in this field, and to lend more effectiveness to the sum total of their cooperation on the international level. It is a question of creating among Catholics a concept of charity with a sort of contagious rivalry, in which everyone feels urged to give what he can, to do what he can, with all his heart. It is above all a matter of coordinating charitable action at the international level, so that the solidarity of Catholics with their needy brothers and with those who are cruelly stricken by sudden disaster may manifest itself promptly and effectively. Therein lies your irreplaceable task.—JOHN XXIII to the *International Conference of Catholic Charities*, July 10, 1960.

*It would be extremely useful if the Catholic could present a neat, detailed guide to the structure and nature of Church authority. To wish for such a guide, however, would betray a fundamental misunderstanding of Church authority as the Catholic sees it.*

## Freedom and Authority in Roman Catholicism\*

DANIEL J. CALLAHAN

WHATEVER ELSE may be said about Catholicism and the Presidency, no one is now likely to predict its disappearance as an issue in the coming election. Yet Senator Kennedy, most will agree, has done all that is possible to reassure the doubtful and the skeptical. His solemn pledge, repeated many times, that he would tolerate no ecclesiastical pressure or direction in fulfilling his oath of office is as

much as he or anyone in his position could do.

But if no doubt lingers about Senator Kennedy's intention to be independent, considerable doubt seems to remain about the theoretical legitimacy for a Catholic, of the kind of pledge he has made. The assumption, for instance of the recent statement issued by the "National Conference of Citizens for Religious Freedom" is that good in-

\* Reprinted with permission from *Christianity and Crisis*, 537 W. 121 St., N.Y. 27, N.Y., October 3, 1960. Mr. Callahan is a Teaching Fellow in Roman Catholic Studies at Harvard Divinity School.

tentions would not suffice in the face of (inevitably) strong pressure from the Catholic hierarchy. How could they suffice when, according to the statement, "his church insists that he is duty-bound to admit to its direction"? This particular doubt was apparently justified by the celebrated *L'Osservatore Romano* editorial of May 19th, "Firm Points." Among other things the editorial asserted the duty of the laity to show a "dutiful discipline" when the bishops speak out about political matters that "touch the altar."

Yet Senator Kennedy simply shrugged off the editorial and repeated his pledge. Nor was he alone. To a man, the American Catholic commentators on the editorial denied its relevancy or application to Senator Kennedy or to the American situation and seriously questioned the firmness of the points themselves.

Still, as so often happens, reassurances and clarification about a specific incident do comparatively little to illuminate permanent principles. This incident had a familiar, almost classic, air about it: the severe Roman statement of obscure authority, a shocked and irritated American Catholic reaction, a hasty clarification in Rome, and a spate of diocesan editorials drawing numerous "necessary distinctions." In the end, naturally, few were much the wiser about Roman Catholic teaching on the matters in question and still less about the nature of Roman Catholic authority.

In fact, the whole discussion oc-

casioned by Senator Kennedy's candidacy has done little to clarify: a) the sources of Catholic teaching; b) the nature of hierarchical authority over the layman; or c) the relationship of practice to principle. What has been revealed, particularly in the area of Church and State is that American Catholics are themselves divided on the theoretical significance of specific teachings in the past, but are united in believing that they are as free as any other American in supporting the Constitution. By now, however, I think many American Catholics (and European Catholics in similar situations) are aware that their assertion of loyalty and the pledges of their bishops do appear to fly in the face of much that was once taken as the doctrine of the Church. Even though the Catholic does feel that there is much that theoretically supports his traditional American practice, he is aware that there are still gaps in Catholic theology and unresolved doctrinal disputes. If we Catholics have succeeded in making clear that, say, the Spanish Church is not normative for Catholicism, we have not succeeded in making clear what is.

THE practical (though accidental); harm done by this uncertainty, by these doctrinal lacunae, by these internal Catholic debates, is greater than it ought to be and customarily is. It is understandably difficult for the non-Catholic to know which Catholic spokesmen he

can trust in such a situation. And no perceptive Catholic can fail to be aware of the inherent difficulty of attempting to prove that his good intentions are supported by Catholic doctrine when some other Catholic may attack his understanding of the doctrine.

For the Catholic himself, nevertheless, it is usually of no great moment that other Catholics will disagree with him or even attack him. More painful is the fact that many non-Catholics are apt to see these disputes not as empirical evidence of Catholic diversity and freedom but as evidence that one side or another in any dispute can be assumed to be heterodox; and that all one need do to determine which is to skim through ancient or recent encyclicals, allocutions or diocesan editorials, tally sheet in hand, looking for passages that agree or disagree with the disputed propositions. The Catholic too does this—but not entirely and not in such literal fashion.

**N**OW it would be extremely useful if the Catholic could present a neat, detailed guide to the structure and nature of Church authority. With such a guide it might be possible to resolve some of the misunderstandings that arise concerning the freedom of the Catholic or the value to be assigned a specific statement by Pope or bishop. But there is no such precise guide, nor is there ever likely to be one. Even to wish there were one would, I

think, betray a fundamental misunderstanding of Church authority as the Catholic sees it.

There are, to be sure, numerous descriptions of the teaching and disciplinary authority of the Church and the hierarchy couched in general language to be found in Catholic manuals of ecclesiology. It is certainly true, for instance, that every Catholic is bound to accept the teaching of the Church as declared by the Popes and councils. It is equally true that the Catholic is bound to respect the direction and guidance of his bishop in matters of faith and morals. Yet having said this (or anything of like abstractness), one has not said anything very helpful for dealing with specific teachings, pronouncements or directives.

First of all, given a specific statement, there will be the problem of determining the kind of assent it requires. All teachings are not equally binding; all pronouncements are not equally solemn; some will require simple obedience while others will require internal assent to their truth as well. What is true of papal statements holds good even more strongly of episcopal statements.

Secondly, there will often be some question about the meaning of the statement, especially in those instances in which it must be harmonized with other statements on the same subject. With respect to meaning, it will always be necessary to determine the circumstances under which it was uttered, the



persons to whom it was addressed and all that might be called the "literary form" of the statement.

Thirdly, if the utterance has some potential bearing on conduct, there will be questions about the prudential implications. It is a rare statement, pronouncement or teaching that does not occasion discussion and analysis on all three levels and often enough a plethora of different interpretations.

One may, if so inclined, look upon distinctions of this kind as the rankest kind of legalism and the freedom they permit as more illusory than real. For the Catholic they loom large and are unavoidable, since the individual Catholic and the Church exist in the most diverse cultures and traditions. The Church expects that the individual Catholic will make the necessary distinctions and that there will be honest and legitimate differences from nation to nation and from individual to individual. Given this situation and this expectation it is extremely difficult to deduce from any abstract definition of Catholic authority the specific weight of a given papal or episcopal statement. This is not to say that Catholics do not attempt such deductions; quite evidently we do. It is still never an easy matter and differing deductions are the cause of some of the sharpest theological debates.

Without multiplying the formal complexities and ambiguities of Catholic authority any further, I think I have said enough to indicate why the Catholic invariably

finds it difficult to state to what exactly he is bound. What I have said should also indicate why, on occasion, the Catholic can differ so sharply from the non-Catholic about the meaning of the Church's teaching. The very nature and practice of Catholic authority presuppose that the individual has a conscience, a mind and a free will, and that it is his obligation to respect them. In no instance may the Catholic violate his conscience. In every instance he must think and make a personal decision. Precisely these requirements—in the eyes of the Catholic—distinguish the system of Catholic authority from that of either a military system or a totalitarian government. This is not to say that the Catholic who holds a minority opinion on some matter or other will avoid unpopularity or attack; it is to say that one can never judge either the Catholic or his position on that basis alone or infer *only* from the number who support his position whether such a position is compatible with Catholic doctrine.

NOW if it is not a simple matter to provide the non-Catholic with the key to Catholic authority (for the Catholic himself possesses no single key), it is possible to suggest an indirect way of reaching some viable conclusions about specific issues and specific pronouncements. That way is simply this: that one observe the decision-making process of Catholics themselves and of

regional or national Catholic communities.

To do this, the following kinds of questions are helpful. 1) How does a Catholic determine what the teaching of the Church is? 2) How does a specific Catholic community decide to what it is bound and to what it is not bound? 3) How does a Catholic whose views have been attacked by other Catholics decide whether his position is a tenable or legitimate one to hold? What these questions have in common is that they assume that one good way to determine what Catholic doctrines consist of is by asking what Catholics *take* them to be and to mean. Proceeding in this fashion, a fairly rough but accurate answer can be given to these questions.

**C**ATHOLICS are likely to be guided quite as much by what they take to be the behavior and attitude of the Church as they see it around them as they are by formally stated teachings and pronouncements. This means that Catholics, when confronted by what *looks* to be an authoritative statement or command, will under normal circumstances clarify any doubts by looking to the local consensus of opinion for the interpretation of the teaching as well as its status. Now this way of resolving doubts can be misleading at times, and it is always conceivable that a local consensus may be at odds with the universal teaching of the Church. Many

Southern Catholics were apparently, until recently, under the impression that the Church approved of racial discrimination. Only repeated condemnations by numerous Southern bishops, reproof from the Holy Office, and a look at the national Catholic consensus were able (one hopes!) to convince them of their mistake. Yet even allowing for confusion and error over a small area, the possibility of such error over a large area becomes very unlikely.

In any event, there is no way more appropriate for a Catholic to learn the meaning and import of a purported doctrine than by questioning those entrusted with the task of teaching and instructing: the bishops, priests and theologians. The layman, in looking to the bishops in particular for clarification, will be guided as much by silence as by positive statements. If the bishops have not specifically condemned a position held by prominent Catholics (assuming they are aware that some Catholics do hold the position) the presumption on the part of lay Catholics is that they are free to hold the view even though they may know the bishops do not personally agree with the position. Put another way, a consensus of Catholic opinion is generally the best way to determine what Catholics take the Church to teach and demand of them. But a tolerant silence on the part of the hierarchy is, normally, good evidence that a Catholic is free to hold a minority position.

For just that reason nothing is quite so misleading as the common expression "official Catholic position." And the mistake is simply compounded when particular Catholics (including Presidential candidates) or groups of Catholics are summarily dismissed as genuine Catholics solely on the grounds that other Catholics have attacked them or that they represent a minority viewpoint. The mistake borders on the incredible when it is suggested that the entire American hierarchy has repudiated the teaching of the Church by pledging to support now and in the future Church-State separation and religious toleration.

So far then, in a very rough fashion, I have indicated how the Catholic himself will make decisions about the teaching of the Church and the extent and limits of the freedom permitted him. The Catholic response to the *L'Osservatore Romano* editorial does, I think, offer an illustration of some of the suggested approaches.

Without laboring the obvious fact that this paper is not a teaching organ of the Church, the real question is not whether *that* statement can be taken as "authoritative" or not. Its form and place preclude such a possibility. Rather, the real question is simply whether the view expressed in the editorial is a reasonably accurate summary of Catholic teaching that can be found expressed more definitely and precisely elsewhere. Now by the method I have suggested, the gen-

eral Catholic response to and interpretation of the editorial will be a major test by which the Catholic will decide whether the viewpoint stated there is the teaching of the Church. What was the response?

FROM all sides, the response was one of dismay, anger and embarrassment. With varying degrees of vehemence, the comments that appeared in European and American periodicals were those of strong reservation. All accepted the general principle expressed in the editorial, that "it is absurd to split the conscience into one part which is that of the believer and one which is that of the citizen." But few accepted all of the concrete implications that the editorial drew from the general principle.

Noteworthy, however, was the fact that the commentators were themselves vague and imprecise about exactly *which* implications they could not accept as consonant with their understanding of Catholic teaching. Instead of specifically denying specific points, most chose to center their complaint on the carelessness of the wording of the editorial and its failure to emphasize the freedom of the Catholic in political and civic life. Most objected also to the failure of the writer to take account of the effect of the editorial outside Italy.

Now as useful as it is to know that most Catholics objected to the editorial and denied its importance or accuracy, one could hardly say

that the responses were very informative about the basic issues raised by the editorial. If the editorial was, at some critical points, wrong about Catholic teaching, what is the correct teaching? The consensus, for all its vagueness, revealed that few think Catholic teaching requires the kind of "dutiful discipline" the editorial claimed. No less escapable is the conclusion that no one was willing to claim the Catholic can simply ignore the hierarchy in public and civic life. This may seem a very meager conclusion, if not nebulous and evasive. I submit it is neither in one important sense.

That sense is this. Implicit in my description of Catholic authority is the assumption that, insofar as it can be called a system, it is a system that strives to balance legitimate claims on the part of the Church and inherent human rights. The non-Catholic will doubtless see the scale as unevenly weighted. In practice it sometimes is. Yet what the consensus sketched above shows is a recognition of the necessity and validity of such a balance. Specifically, it shows that the Catholic does not believe the Church requires anything of him which would deprive him of his freedom as a citizen or person.

### **—The UN in Perspective—**

With all its weaknesses, the UN is on the side of the future as against the past, on the side of political and social justice. I do not want to give the impression that the UN is a perfect society. It is far from that. It is also crystal clear that the UN will not achieve its maximum success until it is irradiated with the light of Christ who brings peace to the world. I am simply saying that it is the finest political tool for the insurance of world peace that the heart and mind of man have yet devised. In an embryonic way it is the beginning of an association of nations calculated to safeguard the independence of nations and the rights of individuals within those nations, to forestall wars and protect and defend the harmony and order of human society.—JOHN B. SHEERIN, C.S.P. in *the CATHOLIC WORLD*, October, 1960.

## ***The Laity Speaks***

*The following statement on religious freedom signed by 166 lay Catholics was issued on October 5, 1960 during the height of the election campaign. On the same day, seven spokesmen for the signers called a press conference at the Willard Hotel in Washington during which they explained the statement and answered the questions of reporters. The spokesmen were: Dr. William J. Nagle, executive director of Operations and Policy Research, Inc. of Washington; Dr. Heinrich Rommen, professor of government, Georgetown University; William Clancy, former associate editor of Commonweal, now editor of Worldview; John B. Mannion, Jr., executive secretary of the National Catholic Liturgical Conference; Richard T. Greer, assistant librarian, U.S. Senate Library; Emerson Hynes, legislative assistant to Sen. Eugene McCarthy; Dr. David McManus, president of Helicon Press. We here present the statement and the transcript of the press conference.*

**T**HE present controversy about the Catholic Church and the Presidency proves once again that large numbers of our fellow-citizens seriously doubt the commitment of Catholics to the principles of a free society. This fact creates problems which extend far beyond this year's elections and threaten to make permanent, bitter divisions in our national life. Such a result would obviously be tragic from the standpoints both of religious tolerance and of civic peace.

In order to avert this, we ask all Americans to examine (more carefully, perhaps, than they have in the past) the relationship between religious conscience and civil society. We think that, in the present situation, Catholics especially are obliged to make their position clear.

There is much bigotry abroad in the land, some of it masquerading under the name of "freedom." There is also genuine concern. To the extent that many Catholics have failed to make known their devotion to religious liberty for all, to the extent that they at times have appeared to seek sectarian advantage, we must admit that we have contributed to doubts about our intentions. It is our hope that this statement may help to dispel such doubts.

To this end we make the following declarations of our convictions about religion and the free society. We do this with an uncompromised and uncompromising loyalty both to the Catholic Church and to the American Republic.

1. We believe in the freedom of the religious conscience and in the Catholic's obligation to guarantee full freedom of belief and worship as a civil right. This obligation follows from basic Christian convictions about the dignity of the human person and the inviolability of the individual conscience. And we believe that Catholics have a special duty to work for the realization of the principle of freedom of religion in every nation whether they are a minority or a majority of the citizens.

2. We deplore the denial of religious freedom in any land. We especially deplore this denial in countries where Catholics constitute a majority—even an overwhelming majority. In the words of Giacomo Cardinal Lercaro, the present Archbishop of Bologna: "Christian teaching concerning the presence of God in the human soul and belief in the transcendent value in history of the human person lays the foundation for the use of persuasive methods in matters of religious faith and forbids coercion and violence." The Catholic's commitment to religious liberty, therefore, he says, "is not a concession suggested by prudence and grudgingly made to the spirit of the times." Rather, it is rooted "in the permanent principles of Catholicism."

3. We believe constitutional separation of Church and State offers the best guarantee both of religious freedom and of civic peace. The principle of separation is part of our American heritage, and as citizens who are Catholics we value it as an integral part of our national life. Efforts which tend to undermine the principle of separation, whether they come from Catholics, Protestants or Jews, believers or unbelievers, should be resisted no matter how well-intentioned such efforts might be.

4. We believe that among the fundamentals of religious liberty are the freedom of a church to teach its members and the freedom of its members to accept the teachings of their church. These freedoms should be invulnerable to the pressures of conformity. For civil society to dictate how a citizen forms his conscience would be a gross violation of freedom. Civil society's legitimate interest is limited to the public acts of the believer as they affect the whole community.

5. In his public acts as they affect the whole community the Catholic is bound in conscience to promote the common good and to avoid any seeking of a merely sectarian advantage. He is bound also to recognize the proper scope or independence of the political order. As Jacques Maritain has pointed out, the Church provides Catholics with certain general principles to guide us in our life as citizens. It directs us to the pursuit of justice and the promotion of the common good in our attitudes toward both domestic and international problems. But it is as individual citizens and office holders, not as a religious bloc, that we make the specific application of these principles in political life. Here we function not as "Catholic citizens" but as citizens who are Catholics. It is in this spirit that we submit this statement to our fellow Americans.

*(During the first 15 minutes of the press conference, the tape recorder was not turned on; therefore, the introduction and early questions and answers are summarized from the notes and recollections of persons present.)*

THE chairman of the press conference, Dr. Wm. J. Nagle, thanked the 25 members of the Washington press corps who attended. He said the statement on religious liberty was drafted because of a conviction that many non-Catholic Americans had serious and honest doubts about the position of American Catholic laymen on this issue. He cited an article written by an eminent national columnist last month that referred to the Church's "dogma" on Church and State, and indicated this error on the part of a very knowledgeable journalist was frequently referred to by originators of the statement as proof that a clear statement was needed.

Dr. Nagle then introduced the sponsors and spokesmen present for the conference: Dr. Heinrich A. Rommen, William Clancy, John B. Mannion, Jr., Richard T. Greer, Emerson Hynes and Dr. David McManus.

Dr. Nagle pointed out that many other people who were intimately involved in the preparation and distribution of the statement were unable to attend. He noted that four other men, in addition to Dr. Rommen, signed the cover letter that solicited the signatures of other Catholic laymen. They were: Dr. George N. Shuster, former president of Hunter College, and now

with the Center for the Study of Democratic Institutions; Dean Joseph O'Meara of the School of Law of the University of Notre Dame; Dr. Francis G. Wilson, professor of political science at the University of Illinois; and Dr. Jerome G. Kerwin, professor of political science, Chicago University.

Others who were involved in the drafting of the statement included Henry B. Cushing of the English Department of Villanova University and Thomas J. O'Toole, vice-dean of the Villanova Law School and director of its Church-State Institute.

Mr. Greer then read the full statement on religious liberty. Dr. Nagle explained that he would answer questions dealing with the administration of the project; Mr. Clancy, as chairman of the drafting committee, would respond to questions on the substance of the statement, and Dr. Rommen and the others present would expand on or clarify the answers as they saw fit.

Mr. Clancy, in his opening remarks, pointed out the importance of realizing that this statement was in no sense something new or revolutionary. "We are in no sense in revolt against the hierarchy," he said. "Rather, we are merely reaffirming what has long been the position of the American Church on separation. This is a position that



was made clear in the past, for example, by Cardinal Gibbons and by Archbishop Ireland, and it was spelled out again in the 1948 Statement by the Catholic Bishops of the United States."

The first questioner asked how this statement could be reconciled with the "official" position of the Catholic Church on Church and State. Mr. Clancy replied that the question betrayed a basic misunderstanding; he said that there is really no "official" Catholic position on this question. There is what is called the "traditional" position, which is held, for example, by the Church in Spain, and there is, on the other hand, the "modern" position, which is held by the overwhelming majority of American Catholics and by most of the Catholics, including most of the Catholic theologians, of Western Europe. This is a wide-open question within the Church, said Mr. Clancy. A Catholic is free to hold either position, and, since the Church has not finally spoken, both positions are orthodox.

The remarks of Dr. Rommen, expanding on Mr. Clancy's statement, are here summarized:

Speaking of union of Church and State, there are various kinds of unions in modern times, especially with the rise of official toleration and with the right of freedom of religion expressed in practically every modern constitution.

As there are several forms of union so there are several forms of separation between State and Church. The union of State and

Church as we have it in England, with the temporal sovereign the head of the Church, is one kind of union. On the other hand, there are moderate unions which leave the Church freedom to fulfill its tasks. But none of these forms of union can be considered the ideal form or the prescriptive form.

Certainly we must distinguish similar forms of separation of State and Church. In order to do that, we might distinguish between hostile and friendly types of separation. The American form of separation is decidedly a case of friendly separation. It is an example of the famous saying of Montalembert, "a free Church in a free State."

But we also have a hostile form of separation, and the best example of this is the separation in France during the early part of this century and fully implemented in the laws of 1905. Here, the Church was restricted more than at any time before by violent anti-clerical and "anti-ecclesiastical" legislation. Duguít, a famous dean of the law school of the University of Bordeaux, who himself was not a practicing Catholic but who had a spirit of fairness, denounced this legislation and found it contradictory to the bill of rights and to every standard of justice. The Church under the French separation laws was subject to the wildest restrictions, so that this was not actually a separation but a persecution of the Church, and such a separation, which by the way would be wholly unacceptable in the United States,

is rightly called a hostile type of separation.

We might also have in a particular state a form of union and yet full religious freedom, as for instance in England. In all these things one must be aware that we are not speaking of abstract things high above our experience; we are speaking of a concrete life of concrete societies—the political community and the religious community. We have from the standpoint of our own religion and theology no difficulty in accepting sincerely and without any afterthoughts the friendly type of separation as it exists in Holland, as it exists in Belgium, as it exists in the Federal Republic of Germany, as it existed first and above all among the modern states in the United States.

A reporter, noting the names of Republicans such as Clare Boothe Luce and Congressman Alvin O'Konski, asked if other prominent Catholic Republicans were not contacted. Dr. Nagle referred the question to Mr. Greer, whom he described as the group's Congressional expert. Mr. Greer pointed out that one of the weekly editions of the Congressional Quarterly earlier this year listed the religious affiliation of all members of Congress. From this list, said Mr. Greer, it was learned that there were only 15 Republicans among the 90 Catholics in the House of Representatives; the statement was sent to all 15 Republicans and to approximately the same number of Democrats in the House. Mr. Greer also

noted that of the 12 or 13 Catholics in the Senate, all are Democrats. Dr. Nagle added that the number of Republicans and Democrats in the House from whom signatures were solicited was roughly the same, and that the response of the two groups was very close, with two more Democrats than Republicans agreeing to sign the statement.

A reporter wanted to know if Secretary of Labor James Mitchell had been asked to sign. Dr. Nagle said that the Secretary had been asked, but had refused. The reporter asked why, and Dr. Nagle said the Secretary himself would have to answer that question; perhaps the reporter might ask him at his next press conference.

(Pick up direct transcription from tape . . . )

#### Reporter:

Mr. Clancy, could what you described as the "modern" position also be called the "American" position?

#### Clancy:

On the question of whether "the modern position" (and this is merely a descriptive term) could also be called "the American position," I would say no; because, for example, the Belgian Constitution, which was adopted in 1830 by an overwhelmingly Catholic state, guaranteed complete freedom of religion for all and separation of Church and State. After the Constitution of Belgium was adopted, a question was put to the Holy See of whether this Constitution was in any conflict

with Catholic doctrine. The answer was that there was no conflict at all.

**Rommen:**

May I add just one little fine point. I recommend to you all to read the Constitution of Ireland of 1937—you will be astonished.

**Reporter:**

Was there any effort made to secure the signatures or the endorsement of any members of the American Catholic hierarchy for this statement?

**Nagle:**

There was none.

**Reporter:**

Would it not have strengthened it to add at least one Catholic theologian, say like Father Connell, (The Rev. Francis J. Connell, C.S.S.R.), who would endorse the statement on behalf of the Church?

**Clancy:**

We did not think it would. There seems to be a notion abroad among some Americans that Catholic laymen are afraid to open their mouths without consulting a priest. We thought that on this question we should go ahead, exercising our freedom as American citizens, and also as Catholic citizens—citizens of the Church—to speak out on our convictions. We thought we should express these convictions, quite confident of our orthodoxy. We saw no reason to consult the hierarchy.

**Nagle:**

I might say, just for your information, that so far as we know no member of the hierarchy saw the

statement before we issued it. At least, if they saw it they did not receive it from one of us. We do not think of ourselves as being revolutionary in any sense. We think this is a legitimate function of Catholic laymen anywhere. There is such a thing as public opinion in the Church—this perhaps is an exercise of it.

**Reporter:**

Did the so-called "Peale meeting" here a few weeks ago have anything to do with your decision to make this statement?

(The reference is to the meeting September 7 in Washington of a group calling itself the National Conference of Citizens for Religious Freedom. Dr. Peale was one of the signers of a statement by the group opposing a Catholic as President.—Ed.)

**Nagle:**

Certainly the fact that the Peale statement came out before any of us got together and began discussing the idea of a statement of our own undoubtedly had some effect; at least it and all the other things, the Houston meeting and all the other statements that were being made, certainly made us think that it was high time that some American Catholics other than a Presidential candidate said what they thought about this issue.

**Reporter:**

Has there been no contact with Senator Kennedy and his staff?

**Nagle:**

No, there has not and we have been very careful to avoid any such contact.

**Clancy:**

May I add a note? After reading recent newspaper stories and such things as the Peale statement, we were distressed that the impression was abroad in the land that the position Senator Kennedy was taking was somehow daring and atypical for an American Catholic. We were convinced that what Kennedy has been saying is what has long been accepted by the overwhelming majority of American Catholics. Kennedy's stand on separation of Church and State is typical of American Catholicism rather than atypical.

**Reporter:**

You're referring to assertions made at the Houston meeting, that Kennedy couldn't have said that and still be a good Catholic?

**Clancy:**

That's right.

**Reporter:**

I have two questions of substance. One with reference to Paragraph Three, number three, and one with Paragraph Five. Paragraph Three — "Efforts which tend to undermine the principle of separation, whether they come from Catholics, Protestants, . . ." etc. Senator Kennedy has stated that his stand is firmly against the appropriation, the spending of public tax funds for the support of paro-

chial schools. Do you agree with this? Would you add this to your statement?

**Clancy:**

I think it is irrelevant whether on specifics such as this we agree or not. We are individual citizens. On any specific we would probably disagree among ourselves. This is part of our freedom, both as American citizens and, in most of these areas, as Catholics. That's why I think on most of these specifics it's irrelevant whether we agree with Kennedy or not.

**Nagle:**

I think you could also understand the impropriety of adding, of being any more specific, after we secured 166 signers. If we are going to say anything more by way of statement we would in justice have to go back and ask each of the 166 to sign for that also.

**Reporter:**

All right now, my second question would be, would you, in the context of your statement, implementing Point 5, "In his public acts as they affect the whole community the Catholic is bound in conscience to promote the common good and to avoid any seeking of a merely sectarian advantage." Would you approve, in extending that, or disapprove one particular member of Congress who has put through appropriations for a total of \$36 million for his church? Do you approve or disapprove this? I refer to Congressman McCormack. (Rep. John W. McCormack, D., Mass.)

**Clancy:**

I'm not familiar with the appropriation.

**Reporter:**

Well, it's in this total of approximately \$36 million. Would you approve or disapprove of even one dollar?

**Clancy:**

I refer to what Mr. Nagle said. When you say, "do you," you mean the 166 signers of the statement. We're not empowered to speak for them on such specifics.

**Nagle:**

Is there a question?

**Reporter:**

I mean on that sentence speaking of a sectarian advantage? That comes within that sentence.

**Clancy:**

If this is a question of fact, if it is the seeking of a merely sectarian advantage, then I assume that we disapprove of it.

**Nagle:**

I'm afraid that neither Mr. Clancy, Dr. Rommen nor I is even aware of the specific thing you are talking about; since it is a question of fact, you can hardly ask us to make a judgment on it. Is there a question?

**Reporter:**

Was Representative McCormack asked to sign the statement?

**Nagle:**

Quite frankly, he was the first Democratic Congressman we thought of, and through nothing

more than an administrative error, he was the last Democratic Congressman to be asked. We spent all weekend trying to reach him or his assistant by phone. I finally called John Cort, one of the signers from Boston (John Cort is administrative secretary of the Newspaper Guild of Greater Boston). I asked John if he would spend the rest of the weekend trying to reach the Congressman, to give him our apologies that the statement had not been mailed to him sooner and to ask him to sign it. I told John not to bother to call back unless he reached the Congressman, and so my only assumption is that the Congressman was never shown the statement in time to sign it.

**Reporter:**

There's a similarity between the number of signers to this and the number of signers of the Mayflower Pact (the Peale statement). There's 150 there I believe and 166 here

...

**Nagle:**

I assure you it's only circumstance and an accident if there is. Since we added 12 more names today, and Miss Pierson (Miss Constance Pierson) only counted them up just before you came. We weren't even sure of our total a half hour ago.

**Reporter:**

May I ask a question? I think I may know the answer but just for clarification. You spoke of the two positions. Now, what is the tradi-

tional position? What is that? Is that in favor of unification of church and state or is that an oversimplification?

**Rommen:**

The traditional position would prevail in Spain and Portugal and in a more moderate way in Italy. But in Italy they have in the Constitution the principle of religious freedom. They do not necessarily exclude each other, however.

**Nagle:**

You would say that modern view would prevail in Ireland, Belgium and Holland to name three other Catholic countries?

**Rommen:**

And Germany—the West German Republic is decidedly modern.

**Reporter:**

What is your position on the recent establishment of a Catholic Party in Puerto Rico, which quite conceivably could become the 51st state?

**Nagle:**

Again I would say, Mr. Clancy could expand on it, this is a specific on which I would have no comment.

**Clancy:**

I would not have a comment on it in relationship to this statement under consideration here today.

**Nagle:**

I think Mr. Clancy, Dr. Rommen, perhaps any one of us, would be glad to sit around with you afterwards and give you our personal opinions, but that is all they would be. We can only commit these 166

people to the statement they have actually signed.

**Reporter:**

The group known as Protestants and Other Americans United for the Separation of Church and State has probably done more than any other organization to explain the Catholic view on the Church-state issue to American Protestants. Can you tell us what you think of their work?

**Clancy:**

I would quarrel with the phrase "explain the Catholic position." I would say "distort" the position.

**Reporter:**

Do you think the POAU has been a factor in distorting the views of . . . (Clancy breaks in.)

**Clancy:**

I believe definitely that POAU has been a factor for distorting and in some cases for libeling the Catholic position in this country.

**Reporter:**

Speaking of the POAU, they have issued a statement on your statement a short while ago.

**Nagle:**

Good for them. I hope their press release was at least a half hour later than ours.

**Reporter (Quoting):**

"(The statement) evades the real religious issue in this country today. That issue is the drive of the Roman Catholic Bishops of the United States to secure tax support for their parochial schools and other church institutions. The statement

of the Catholic laymen commendably supports our American tradition of separation of Church and State, but it makes no mention of the real issue at stake here. That issue is the use of public funds for church institutions . . . Now it is all very well for these laymen to voice their belief in Church-State separation. But why do they not follow it up by disavowing their Church's drive for tax money? If they would take a step of this kind then we would find their avowal of faith in separation completely credible." Can I get any comment on that at all?

**Nagle:**

My only one, Mr. Cassels (Louis Cassels, Religion Editor, UPI) would be that if we did that, I'm sure that POAU would not be satisfied. They would want us to go one step further and set up an American church of some kind and break with Rome eventually. I'm quite sure that the POAU would not be satisfied no matter what laymen said or no matter what the hierarchy said. Mr. Clancy?

**Clancy:**

I wonder if POAU really thinks that it is using unloaded language when it talks about the hierarchy's "drive" for public funds. Again, you can consult the voting records of individual Catholic members of the Senate on appropriation bills of this kind. Here we Catholics only speak as individuals.

**Reporter (question unclear):**

**Nagle: (Repeating Reporter's**

question): The question is for a clarification of Point 4 in the statement in which the statement reads: "These freedoms should be invulnerable to the pressures of conformity. For civil society to dictate how a citizen forms his conscience would be a gross violation of freedom. Civil society's legitimate interest is limited to the public acts of the believer as they affect the whole community." Mr. Clancy—

**Clancy:**

I think something that troubles a good many Catholics, and what is being considered in Point 4, is the frequently heard complaint that a Catholic, even in a carefully limited, carefully defined area of faith and morals, submits to the authority of a teaching Church. This complaint seems to Catholics an invasion of politics into what is properly an area of conscience. Catholics believe in the freedom of the act of faith. By a free act the individual Catholic submits to the authority of a teaching Church. We do not believe that such submission in the carefully defined, narrowly drawn areas where the Church does teach with authority in matters of faith or morals is either contrary to membership in a free society or indeed of any concern to a free society. In other words, one does not need to hold a—let us say—Baptist theology to be a good American. One does not need to hold a Protestant view of the Church or the Church's teaching authority to be a good American. This is a matter of individual conscience. What society can be



legitimately concerned with is this: no matter how a man forms his conscience, how does he act in the public order? Society can be concerned with the effect of a man's acts in the public order, but not with the interiority of a man's conscience.

**Nagle:**

I wonder if I could just interrupt here for a second to ask, whether Dr. McManus, Mr. Mannion, Mr. Greer, or Mr. Hynes have anything that they want to clarify on what has already been said. . . . If not, any other question? . . .

**Reporter:**

Do we know how many of these statements were sent out? How many covering letters were sent out and how many either failed to respond or didn't . . .

**Nagle:**

I can only give you an estimate because we honestly haven't added it up. It was something a little over 350 I believe. Now just from the fact that today we got phone calls and telegrams right up until the time we left for the hotel, I'm sure that we'll have more tomorrow. Envelopes come back wrongly addressed, people are out of the country, many of the people who have responded just in the last three days said they didn't open their mail. Unfortunately just because we had a simple return address and it probably looked like junk mail to a lot of people and probably never did get opened and they're proba-

bly mad that we didn't ask them to sign it.

**Greer:**

Actually, most of these had been mailed out within the last week.

**Nagle:**

I think it's important, and a lot of them as late as Thursday. We were setting Monday noon as the deadline for that first release you had and then we naturally kept it open until today. That's where we got those added signatures, but I do think that it was a fairly good return for the little time our 166 signers had in which to send in a reply to our covering letters.

**Reporter:**

Well, the number of refusals was . . .

**Nagle:**

It wouldn't be fair to call them refusals since we only got two letters from people saying they just didn't agree with it and didn't want to sign. Now, I assume many more who didn't, didn't agree with it either. But I couldn't in justice call them refusals.

**Reporter (same as before):**

That's what I was trying to get at. Among those who didn't sign, how many refusals there might have been.

**Nagle:**

I'd say we only got two or three letters at the most where they actually refused because they just didn't agree with one paragraph or another.

**Reporter:**

Did they disagree with substance or with the timing or with the value . . .

**Nagle:**

Most of it was the timing.

**Reporter:**

The timing before the election. Is that what you mean?

**Nagle:**

That's right. They thought it would possibly be misconstrued as a campaign document for Kennedy perhaps. I don't think anyone misconstrued it as a campaign document for Nixon. (Laughter)

**Rommen:**

I had a call from a man who represented himself as a very important person in the Republican Party and he said it was an excellent statement; he agreed with every word of it, but the timing, that was the problem.

**Reporter:**

What point would there be of issuing such a statement such as that after November 8th?

**Nagle:**

Well, this was part of our argument. We said we were opportunists. This week you men might put us on Page four—after November 8th we might make Page 32 or something.

**Clancy:**

I think that this statement will have value beyond November 8th. I think the Catholic position on Church and State is more or less a long-range problem in American life. The fact that it has come to the

fore at the present time during the campaign shows that it is a matter of genuine concern to a lot of Americans. A good many of us who signed this statement think that regardless of what happens in November, the discussion of this problem and the resulting clarification of the position of American Catholics will have a good, long-range effect on our political and social life.

**Nagle:**

I wonder if I might expand on that point just for a moment because I'm sure that you are still very much interested in knowing if this is really a bi-partisan statement "so you've got Clare Boothe Luce, so you've got Congressman O'Kon-ski." One of the five letter signers was Dr. Francis Wilson and since Dr. Rommen was the first to contact Dr. Wilson to ask him to be one of the letter signers, I think it would be relevant to ask Dr. Rommen what Dr. Wilson said.

**Rommen:**

Well, Dr. Wilson affirmed that he is a Republican and will vote for Nixon.

**Nagle:**

And, he was one of the five men you might recall who signed the letter. Now I'm sure you can go over the list and you'll probably identify many more Republicans. I don't know the political affiliations of many people who signed it. Take a man you are familiar with, Edward Bennett Williams. I understand from a little research, that the American Weekly back in July, 1960 had an article on Williams,

and it said that he is a registered Republican and that he supported Eisenhower and Stassen; as far as I know he's never denied this, and so I assume he's still a registered Republican and will be voting for Nixon.

**Nagle:**

If there are no more questions,

may I invite any of you who may be interested to examine this file, which contains copies of the cover letter which solicited signatures, a copy of the letter sent to friends requesting \$5 or \$10 contributions, and a list of the people who have so far contributed money to cover the costs of distribution.

### —What's Wrong With Society—

My view, and indeed my thesis, is that the commonest factor influencing responsibility to day is not the power of overwhelming emotion but a lack of evaluative knowledge of the true nature of the evils which afflict our society. Education in the field of sexual morality is vague, haphazard and frequently inaccurate. It is usually negative in tone or outlook, conveying nothing of the true nature of sex nor of its appropriate place in the divine plan. It provides only a series of apparently empirical prohibitions or seemingly reluctant permissions. It creates no sense of sanctity, no feeling of unity with the rest of Christ's teaching. Small wonder in these circumstances that difficulty is encountered in the field of sexual morals, a difficulty which stems not solely from the vehement and demanding nature of this particular biological drive, but from a complete failure to acquire from the outset an integrated evaluative knowledge of its place in God's plan for living.

—JOHN MARSHALL in *the MONTH*, December, 1960.



Any TWO of these Books  
**YOURS!** for only  
**\$2.98**

**Other Valuable Books**

New members may make their first two selections at \$2.98 from the list below as well as the list alongside the **PETER CLAVER: Saint of the Slaves** by Angel Valtierra, S.J. "No life except the life of Christ has so moved me as that of St. Peter Claver," said Pope Leo XIII. (Pub. price, \$4.95)  
**THE CATHOLIC CHURCH IN THE MODERN WORLD** by E. E. Y. Hales —A thorough presentation on the role of the Church today. (Pub. price, \$4.50)

**GENERAL SHERMAN'S SON**, by Joseph T. Durkin, S.J. Civil War fans will find this unusual biography worth having. (Pub. price, \$4.50)

**ASSURED QUALITY AND HIGH MORAL TONE.** The Catholic Book Club, the original book service by mail for Catholics, consistently offers members important, well-written books on a variety of subjects. A service of the editors of **AMERICA**, the Catholic Book Club boasts a selection board of educators, writers and critics headed by Fr. Harold C. Gardiner, S.J., nationally recognized literary editor of **AMERICA**.

**NO OBLIGATION TO BUY SPECIFIC NUMBER OF BOOKS.** You are not obligated to buy any specific number of books in a given period of time—as is the case with other book clubs. You will receive a free subscription to the monthly Newsletter in which the selection of the month is described in advance by a competent critic. And you may cancel your membership whenever you wish.

1. A strong and sensitive novel which catches the inner workings of God's grace in souls. (Pub. price, \$3.95)
2. The processes of thought which articulate the doctrines of the active faith of Catholics. (Pub. price, \$6.00)
3. A book one must read and assimilate in order to speak with some authority on Russia. (Pub. price, \$3.95)
4. A careful account of all we know about the Virgin Mary. (Pub. price, \$4.95)
5. A prominent theologian's views on the role of Catholics living in a pluralistic society. (Pub. price, \$5.00)
6. Augustine revealed as a struggling, growing Christian. With paperback *Confessions*. (Pub. Price, \$4.30)
7. A comprehensive, practical study of the psychology, morality and spirituality of dreams. (Pub. price, \$4.75)
8. A prize-winning novel of a priest's struggle for his soul. (Pub. price, \$3.95)
9. A pilgrimage in words and pictures directed by Bishop Fulton J. Sheen. (Pub. price, \$4.95)

**Now Get The Books You Want—Easily.** The books described here are ones you have read about, heard discussed—ones you have felt you "must read." No need to wait any longer. Now you can get these books easily—and at low cost—much below the publisher's price. The books on this page are typical of the quality new titles you can obtain as a member of the Catholic Book Club. As a member each month you will receive a description of a new book offered to you at the low price of \$2.98 (plus small handling charge).

**HOW TO BECOME A MEMBER OF THE CATHOLIC BOOK CLUB.** You may begin your membership immediately by clipping and filling out the coupon below. Be sure to indicate which two books you wish sent to you from the titles described on this page. No payment need be made now. Your two books will be mailed to you promptly.

*Clip and Mail today!*

**CATHOLIC BOOK CLUB, 920 Broadway, New York 10, N.Y.**  
 Please enroll me as a member of the Catholic Book Club. To begin my membership send me the two books listed below.

1. .... ☐ Payment enclosed  
 2. .... ☐ Bill me  
 I understand I will be billed \$2.98 (plus handling charge of 15¢) for this special enrollment offer.  
 Name .....  
 Address .....  
 City ..... Zone ..... State .....